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THE CHARTER

OF THE

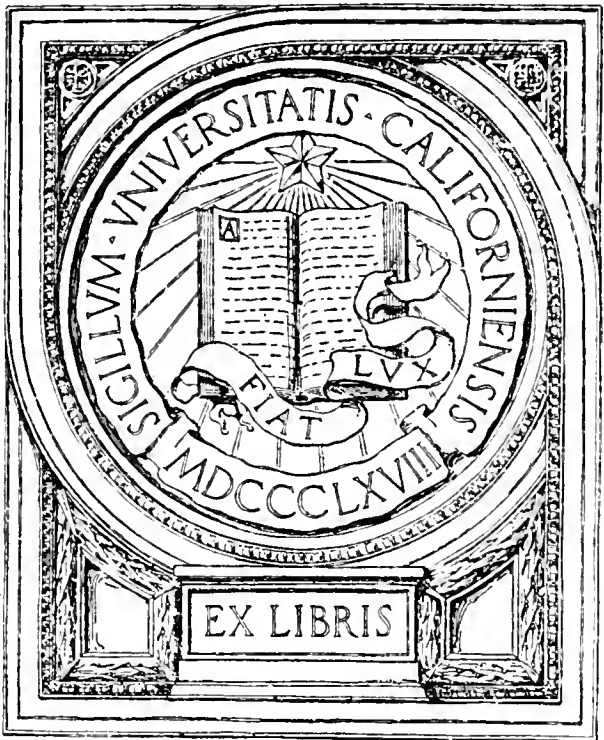
CITY OF SEATTLE

Adopted at the General Election March 3, 1896, as
Amended in 1900, 1902, 1904, 1906, 1908, 1910, 1911 and 1912

PUBLISHED BY AUTHORITY OF THE
CITY OF SEATTLE

SEATTLE
LOWMAN & HANFORD CO
1912

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PREFACE TO REVISED EDITION

The revised edition contains the amendments to the City Charter adopted March 5, 1912, together with a new index to the charter as amended.

JAMES E. BRADFORD,

Corporation Counsel

By HOWARD A. HANSON,

Assistant Corporation Counsel

Seattle, May 1, 1912

THE CHARTER

OF THE

CITY OF SEATTLE

ADOPTED AT THE GENERAL ELECTION MARCH 3, 1896, AS
AMENDED IN 1900, 1902, 1904, 1906, 1908, 1910, 1911 AND 1912

ARTICLE I.

GENERAL RIGHTS AND LIABILITIES.

Section 1. **Municipality; Name, General Powers:**—The municipal corporation, now existing and known as the City of Seattle, shall remain and continue a body politic and corporate in name and in fact, by the name of "The City of Seattle," and by that name shall have perpetual succession, may sue and defend in all courts and places, and in all matters and proceedings whatever, and may have and use a common seal, and alter the same at pleasure, and may purchase, receive, hold and enjoy real and personal property within and without the corporate limits of the City of Seattle, and may sell, convey, mortgage and dispose of the same for the common benefit, and may receive bequests, devises, gifts and donations of all kinds of property within and without the city for its own use and benefit, or in trust for charitable or other public purposes, and do all acts necessary to carry out the purposes of such gifts, bequests, devises and donations, with power to manage, sell, lease or otherwise dispose of the same in accordance with the terms of the gift, bequest, devise or trust.

Sec. 2. **Property Vested in City:**—The public buildings, lands and property, all rights of property and rights of action, all moneys, revenues and income belonging or appertaining to the City of Seattle, are hereby declared to be vested in the said City of Seattle.

Sec. 3. **Rights and Liabilities Continued:**—The City of Seattle shall continue to have, hold and enjoy all public buildings, land, wharves, waters, property real and personal, streets, alleys and other public places, rights of property, rights of action, suits, actions, moneys, revenues, taxes, licenses, income, books, documents, records, archives, claims, demands, and generally all things in possession and action of every nature and description, and shall be subject to all obligations, debt, liabilities, dues and duties, of the existing municipality.

Sec. 4. Suits to Enforce Rights:—Suits, actions and proceedings may be brought in the name of the City of Seattle for the recovery of any property, money or thing belonging thereto, in law or in equity, or dedicated to public use therein, or for the enforcement of any rights of or contracts with said city, whether made or arising or accruing before or after the adoption of this charter; and the adoption of this charter shall not operate to abate or discontinue any existing suit, action or proceeding in court or elsewhere, to which said city is a party.

Sec. 5. Contracts Not Affected:—All contracts of every description heretofore duly and legally made and entered into by the City of Seattle, by virtue of any existing law, shall remain valid and be binding upon the City of Seattle, to the extent only that they are now valid and binding upon the City of Seattle.

Sec. 6. Assessments Not Affected:—The adoption of this charter shall not affect any special or local assessment, re-assessment or proceeding relating thereto, which may be wholly or partly completed or pending before the city council, or any board or officer at the time of such adoption, but all such assessments, re-assessments and proceedings may be completed under the provisions of this charter; and all things done prior to the adoption of this charter, relating to any such assessment, re-assessment or proceeding now pending or remaining uncompleted, shall be held to be a compliance with the provisions of this charter relating thereto, in so far as such provisions are substantially the same as the provisions of the charter superseded hereby, relating to the same matter, or all such assessments, re-assessments and proceedings may be completed under the provisions of the charter which is superseded by this charter or under the provisions of general laws applicable thereto.

Sec. 7. Continuation of Former Provisions:—All the provisions of this charter which are substantially identical with provisions of the charter superseded hereby, shall be construed as continuations of such former provisions, and not as new enactments.

Time Elapsed for Filing Claims, How Counted:—In all cases of claims for damages against the city, on which part of the time allowed for presenting such claims to the city council and filing the same with the city clerk has already elapsed at the time of the adoption of this charter, the portion of time already elapsed shall be counted as a part of the six months fixed by this charter for presenting and filing such claims.

ARTICLE II.

BOUNDARIES, WARDS AND PRECINCTS.

Section 1. The City of Seattle shall include in its limits the following lands and territory, to-wit:

(**Note:**—The limits of the City of Seattle, as existing in 1896, have been changed by the annexation of new territory, and are therefore omitted. The property and

boundaries hereinafter specified and described constitute the property and boundaries of said city as existing May 1, 1912.)

PROPERTY.

Sections one, two, eleven, twelve, thirteen, fourteen, fifteen, twenty-three, twenty-four, and portion of Sections three, nine, ten, sixteen, twenty-two and twenty-five, Township 25 North, Range 3 East, W. M.

Sections five, six, seven, eight, ten, seventeen, eighteen, nineteen, twenty, twenty-eight, twenty-nine, thirty, thirty-two, thirty-three and portions of Sections four, nine, eleven, fifteen, sixteen, twenty-one, twenty-two, twenty-seven, thirty-one and thirty-four, Township 25 North, Range 4 East, W. M.

Sections thirteen, fourteen, twenty-three, twenty-four, twenty-five, thirty-six and portions of Sections two, ten, eleven, twelve, fifteen, twenty-two, twenty-six, thirty-four and thirty-five, Township 24 North, Range 3 East, W. M.

Sections four, five, eight, nine, sixteen, eighteen, nineteen, twenty-one, twenty-two, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-four and portions of Sections three, six, seven, ten, fourteen, fifteen, seventeen, twenty, twenty-three, twenty-four, twenty-six, thirty-two, thirty-three and thirty-five, Township 24 North, Range 4 East, W. M.

Portion of Sections one, two, three and eleven, Township 23 North, Range 4 East, W. M.

BOUNDARY.

Beginning at the intersection of the north line of Township 25 North, Range 3 East, W. M., with the east shore of Puget Sound at deep water; thence east on the north line of Township 25 North, Range 3 East, W. M., and Township 25 North, Range 4 East, W. M., to the northeast corner of the northwest quarter of the northwest quarter of Section four, Township 25 North, Range 4 East, W. M.; thence south along the east line of the west one-half of the west one-half of Section four, Township 25 North, Range 4 East, W. M., and said east line produced south to the south line of East Sixty-fifth Street; thence east along said south line to the north and south center line of the northeast quarter of Section 9, Township 25 North, Range 4 East, W. M.; thence north along said center line to the south line of Section 4, Township 25 North, Range 4 East, W. M.; thence east along the south lines of Sections four, three and two, Township 25 North, Range 4 East, W. M., and the said south lines produced to the center line of Lake Washington; thence southerly and southeasterly along the said center line to an intersection with the east and west center line of Section one, Township 23 North, Range 4 East, W. M., produced east; thence west along said center line to an intersection with the easterly line of Kinnear's First Addition to Rainier Beach; thence southeasterly along the easterly line of said addition to

the south line thereof; thence west along the said south line to an intersection with the west line of Section one, Township 23 North, Range 4 East, W. M.; thence south along said west line to the south line of said Section; thence west along the south line of Section two, Township 23 North, Range 4 East, W. M., to an intersection with the north and south center line of said Section two; thence south along the north and south center line of Section eleven, Township 23 North, Range 4 East, W. M., to the east and west center line of said Section eleven; thence west along the said center line to an intersection with the west line of said Section; thence north along said west line and the west line of Section two, Township 23 North, Range 4 East, W. M., to the east and west center line of Section three, Township 23 North, Range 4 East, W. M.; thence west along said center line to the west line of said Section three, Township 23 North, Range 4 East, W. M.; thence north along the west line of said Section three, Township 23 North, Range 4 East, W. M., and the west line of Section thirty-four, Township 24 North, Range 4 East, W. M., to the east and west center line of Section thirty-three, Township 24 North, Range 4 East, W. M.; thence west along the said center line to the center line of the Duwamish River; thence northwesterly along said center line to the intersection of the south line of Section twenty-eight, Township 24 North, Range 4 East, W. M.; thence west along said south line and the south line of Section twenty-nine, Township 24 North, Range 4 East, W. M., to the east line of River Park Addition; thence south along the east line of River Park Addition to the north line of South Park Addition; thence east along said north line to the northeast corner of South Park Addition; thence continuing south along the east line of said addition to Dallas Avenue or County Road; thence following the County Road in an easterly direction to a point on said road directly east of the southeast corner of South Park Addition; thence west along the south line of said addition and the south line produced to the northeast corner of Excelsior Acre Tracts No. 2; thence south to the southeast corner thereof; thence west along the south line of Excelsior Acre Tracts No. 2 and Excelsior Acre Tracts to the southwest corner of last named tracts; thence north to an intersection with the north line of the south one-half of the south one-half of Section thirty-two, Township 24 North, Range 4 East, W. M.; thence west to the west line of Section thirty-two, Township 24 North, Range 4 East, W. M.; thence south to the south line of said Section; thence west on the south line of Section thirty-one, Township 24 North, Range 4 East, W. M., and continuing west on the south line of Sections thirty-five and thirty-six, Township 24 North, Range 3 East, W. M., and said south line produced to an intersection with the east shore of Puget Sound at deep water; thence northerly along said easterly shore to the beginning—except that portion of King County Second Addition lying north of the center line of Dawson Street produced West.

Sec. 2. Ward Boundaries:—The City of Seattle is hereby divided into fourteen wards, designated and bounded as follows:

(NOTE: The ward boundaries, as fixed by the charter of 1896, have, with the exception of those of the Third and Seventh Wards, been changed by ordinance. The fol-

lowing are the boundaries of the various wards as fixed by charter or ordinance prior to May 1, 1912):

First Ward.

As established by Ordinance No. 12996, approved November 11, 1905:

Beginning at the intersection of the center lines of Yesler Way and Ninth Avenue South; thence south along the center line of Ninth Avenue South to the center line of Jackson Street; thence east along the center line of Jackson Street to the center line of Twelfth Avenue South; thence south along the center line of Twelfth Avenue South to the center line of Judkins Street; thence west along the center line of Judkins Street to the center line of Eleventh Avenue South; thence south along the center line of Eleventh Avenue South to the center line of Holgate Street; thence east along the center line of Holgate Street to the center line of Twelfth Avenue South; thence south along the center line of Twelfth Avenue South to the center line of Hanford Street; thence east along the center line of Hanford Street to the east line of section seventeen (17), township twenty-four (24) north, range four (4) east; thence south along the line between sections 16 and 17 of said township and range to the north line of the L. M. Collins' Donation Claim No. 46, King County, Washington; thence west along the north line of said L. M. Collins' Donation Claim to the northwest corner thereof; thence south along the west line of said L. M. Collins' Donation Claim to the north line of Eli Maple Donation Claim No. 39, King County, Washington; thence west along the north line of the said Eli Maple Donation Claim to the northwest corner thereof; thence west to the government meander line of lot two (2), section 19, township 24 north, range 4 east; thence following said meander line of said lot 2 in a northwesterly direction to the south line of lot one (1) of said section 19, said township and range; thence along the government meander line of said lot 1 in a northerly direction to the section line dividing sections eighteen (18) and nineteen (19) of said township and range; thence following along the government meander line of lot five (5) in section eighteen (18), said township and range, in a northeasterly direction to the section line dividing sections 17 and 18, said township and range; thence north along said section line to the meander line on the north side of lot one (1), in section 18; thence westward along the south boundary of the City of Seattle to the center line of Elliott Bay and the Duwamish river; thence northerly along said center line of Elliott Bay and the Duwamish river to an intersection with the center line of Yesler Way produced west; thence east along the center line of Yesler Way produced, and Yesler Way to the center line of Ninth Avenue South and the place of beginning.

Second Ward.

As established by Ordinance No. 12996, approved November 11, 1905:

Beginning at the intersection of the center lines of Yesler Way and Ninth Avenue South; thence south along the center line of Ninth Avenue South to the center line of Jackson Street; thence east along the center line of Jackson Street to the center line of Twelfth Avenue South; thence south along the center line of Twelfth Avenue South to the center line of Judkins Street; thence west along the center line of Judkins Street to the center line of Eleventh Avenue South; thence south along the center line of Eleventh Avenue South to the center line of Holgate Street; thence east along the center line of Holgate Street to the center line of Twelfth Avenue South; thence south along the center line of Twelfth Avenue South to the center line of Hanford Street; thence east along the center line of Hanford Street and the south boundary line of the City of Seattle to an intersection with the mid-channel of Lake Washington; thence northerly along the mid-channel of Lake Washington to an intersection with the center line of Yesler Way produced, east; thence west along the center line of Yesler Way produced, and Yesler Way to an intersection with the center line of Ninth Avenue South and the place of beginning.

Third Ward.

As established by charter:

Commencing at the intersection of the center line of Yesler Way with the center line of Broadway and running thence north along the center line of Broadway to the center line of Madison Street; thence northeasterly along the center line of East Madison Street and East Madison Street produced, to the point in Lake Washington where

East Madison Street so produced would intersect the section line between sections 16 and 21, township 25 north, range 4 east, produced eastward; thence east to the east boundary of the city; thence south along the east boundary of the city to the north boundary of the Second Ward; thence west in a straight line along the center line of Yesler Way produced, and Yesler Way to the point of beginning.

Fourth Ward.

As established by Ordinance No. 12996, approved November 11, 1905:

Beginning at the intersection of the center line of Yesler Way and Broadway; thence north along the center line of Broadway to the center line of Madison Street; thence southwesterly along the center line of Madison Street to the center line of Railroad Avenue; thence west along the center line of Madison Street produced, to an intersection with the west boundary line of the City of Seattle; thence south along the west boundary line of the city to an intersection with the center line of Yesler Way produced west; thence east along the center line of Yesler Way produced, and Yesler Way to an intersection with the center line of Broadway and the place of beginning.

Fifth Ward.

As established by Ordinance No. 12996, approved November 11, 1905:

Beginning at the intersection of the center lines of Madison Street and Minor Avenue; thence northerly along the center line of Minor Avenue to the center line of Olive Street; thence westerly along the center line of Olive Street to the center line of Stewart Street; thence westerly along the center line of Stewart Street to the center line of Pine Street; thence westerly along the center line of Pine Street to the center line of Railroad Avenue; thence southerly along the center line of Railroad Avenue to the center line of Pike Street; thence west along the center line of Pike Street and Pike Street produced, west to the west boundary line of the City of Seattle; thence southerly along the west boundary line of the city to an intersection with the center line of Madison Street produced, west; thence east along the center line of Madison Street produced, and the center line of Madison Street to the center line of Railroad Avenue; thence easterly along the center line of Madison Street to an intersection with the center line of Minor Avenue and the place of beginning.

Sixth Ward.

As established by Ordinance No. 12996, approved November 11, 1905:

Beginning at a point on the west boundary line of the City of Seattle where the same is intersected by the center line of Denny Way produced; thence east along the center line of Denny Way produced, and Denny Way to the center line of Ninth Avenue; thence southerly along the center line of Ninth Avenue to the center line of Olive Street; thence westerly along the center line of Olive Street to the center line of Stewart Street; thence westerly along the center line of Stewart Street to the center line of Pine Street; thence westerly along the center line of Pine Street to the center line of Railroad Avenue; thence southerly along the center line of Railroad Avenue to the center line of Pike Street; thence west along the center line of Pike Street and Pike Street produced, to the west boundary line of the City of Seattle; thence northwesterly along the west boundary line of the city to an intersection with the center line of Denny Way produced west, and the place of beginning.

Seventh Ward.

As established by charter:

Commencing on the center line of Madison Street at the point where the same is intersected by the center line of Minor Avenue, and running thence northerly along the center line of Minor Avenue to the center line of Olive Street; thence westerly along the center line of Olive Street to the center line of Ninth Avenue; thence northerly along the center line of Ninth Avenue to the center line of Denny Way; thence east along the center line of Denny Way to the center line of Westlake Avenue; thence north along the center line of Westlake Avenue to Valley Street, and continuing due north to mid-channel in Lake Union, and thence northeast, east and southeast, following the mid-channel of said lake, to the intersection of the section line between sections 16 and 21, township 25 north, range 4 east, at the portage between

Lakes Union and Washington: thence east on said section line produced, to the intersection of East Madison Street produced, and thence southwesterly, along the center line of East Madison Street produced, East Madison Street and Madison Street to the point of beginning.

Eighth Ward.

As established by Ordinance No. 12338, approved April 26, 1905:

Beginning at the center line of Denny Way at its intersection with the center line of Westlake Avenue; running thence north along the center line of Westlake Avenue to Valley Street, and continuing due north to the mid-channel of Lake Union, being a point on the center line of section nineteen (19), township twenty-five (25) north, range four (4) east produced, eastward; thence west along said center line of said section 19 to an intersection with the center line of Warren Avenue; thence northerly along Warren Avenue produced, to an intersection with the center line of Ray Street produced eastward; thence westerly along the center line of Ray Street produced eastward, and Ray Street to its intersection with the center line of Eleventh Avenue West; thence southerly along the center line of said Eleventh Avenue West to the center line of McGraw Street produced; thence westerly along the center line of McGraw Street produced, to the intersection of said line with the line between sections 23 and 24, township 25 north, range 3 east; thence south along said section line and section line produced, to a point opposite the center line of Denny Way, produced west; thence easterly along the center line produced, and Denny Way to its intersection with the center line of Westlake Avenue, and the place of beginning.

Ninth Ward.

As established by Ordinance No. 12338, approved April 26, 1905:

Beginning at the intersection of the mid-channel of Lake Union with the east and west center line of section 19, township 25 north, range 4 east, W. M., produced east, and running thence west along said center line of said section to its intersection with the center line of Warren Avenue; thence northerly along the center line of Warren Avenue and Warren Avenue produced, to its intersection with the center line of Ray Street produced eastward; thence westerly along the center line of Ray Street produced, and Ray Street to its intersection with the center line of Eleventh Avenue West; thence southerly along the center line of Eleventh Avenue West to its intersection with the center line of McGraw Street produced; thence westerly along the center line of McGraw Street produced to its intersection with the section line between section 23 and 24, township 25 north, range 3 east; thence southerly along said section line between sections 23 and 24 to its intersection with the main channel of Elliott Bay; thence northwesterly along the main channel of Elliott Bay to its intersection with the waters of Puget Sound and Admiralty Inlet; thence northerly and northeasterly along the center line of said Puget Sound or Admiralty Inlet to an intersection with the southerly line of the present corporate limits of the town (now city) of Ballard; thence southeasterly along the southerly corporate limits of the City of Ballard, and following the center line of Shilsole Bay and Salmon Bay to their intersection with the south boundary line of the north half (N. $\frac{1}{2}$) of the northwest quarter (N. W. $\frac{1}{4}$) of section 13, township 25 north, of range 3 east, W. M.; thence easterly along said line to the north and south center line through said section 13; thence north following the center line of said section 13, also of section 12, and also through section 1 of said township and range, to an intersection with the center line of West Seventieth Street produced; thence easterly along the center line of West Seventieth Street and West Seventieth Street produced, and North Seventieth Street to an intersection with the center line of said Greenwood Avenue; thence southerly along the center line of said Greenwood Avenue to an intersection with the center line of North Fiftieth Street; thence easterly along the center line of North Fiftieth Street to its intersection with the center line of Meridian Avenue; thence southerly along the center line of Meridian Avenue to its intersection with the mid-channel of Lake Union, being a point on the center line of section 19, township 25 north, range 4 east, produced eastward; thence westerly along the said center line of said section 19 to the point of beginning.

Tenth Ward.

As established by Ordinance No. 12338, approved April 26, 1905:

Beginning at the intersection of Meridian Avenue with the mid-channel of Lake Union, and running thence northeasterly, easterly and southeasterly along said mid-

channel to its intersection with the section line between sections 16 and 21, township 25 north, range 4 east, W. M.; thence easterly along said section line and said line produced, to the east section line of said section 16, produced south; thence northerly along said east section line of said section 16 and the east line of section 9 of said township and range, to an intersection with the east and west center line of said section 9; thence west through the center of said section 9 and to an intersection with the line between sections 8 and 9, of said township and range; thence north along the line between said sections 8 and 9 to an intersection with the center line of East Sixtieth Street produced; thence westerly along the center line of East Sixtieth Street produced, and East Sixtieth Street to its intersection with the center line of Latona Avenue; thence southerly along the center line of Latona Avenue to its intersection with the center line of East Fifty-sixth Street; thence westerly along the center line of East Fifty-sixth Street and North Fifty-sixth Street to their intersection with the center line of Keystone Place; thence southwestwardly along the center line of North Fifty-fifth Street to its intersection with the center line of Meridian Avenue; thence southerly along the center line of Meridian Avenue to its intersection with the mid-channel of Lake Union and the place of beginning.

To which was added the territory annexed by Ordinance No. 15228, approved January 15, 1907, as Ravenna; by Ordinance No. 25791, approved Nov. 30, 1910, as unincorporated territory (Laurelhurst).

Eleventh Ward.

As established by Ordinance No. 12338, approved April 26, 1905:

Beginning at the intersection of the center line of East Sixtieth Street produced; with the east line of section 8, township 25 north, range 4 east, W. M., running thence north along the east line of sections 8 and 5, in said township and range, to the northeast corner of said section 5; thence west along the north boundary line of sections 5 and 6 in said township and range, and along the north boundary line of section 1, of township 25 north, range 3 east, W. M., to an intersection with the quarter section corner on the north line of said section 1; thence south along the north and south center line of said section 1 to its intersection with the center line of West Seventieth Street produced; thence easterly along the center line of West Seventieth Street produced, West Seventieth Street and North Seventieth Street to an intersection with the center line of Greenwood Avenue; thence southerly along the center line of Greenwood Avenue to its intersection with the center line of North Fiftieth Street; thence easterly along the center line of North Fiftieth Street to its intersection with the center line of Meridian Avenue; thence northerly along the center line of Meridian Avenue to its intersection with the center line of North Fifty-fifth Street; thence easterly and northeasterly along the center line of North Fifty-fifth Street to Keystone Place; thence easterly along North Fifty-sixth Street and East Fifty-sixth Street to Latona Avenue; thence northerly along Latona Avenue to East Sixtieth Street; thence easterly along the center line of East Sixtieth Street and East Sixtieth Street produced, to the east line of section 8, and the place of beginning.

Twelfth Ward.

Includes the territory annexed by Ordinance No. 15172, approved January 7, 1907, as Southeast Seattle; by Ordinance No. 15917, approved May 3, 1907, as South Park; by Ordinance No. 15918, approved May 3, 1907, as Columbia, and by Ordinance No. 16909, approved September 12, 1907, as Dunlap, Rainier Beach and Atlantic City.

Thirteenth Ward.

Includes the territory formerly the City of Ballard, annexed by Ordinance No. 16083, approved May 29, 1907.

Fourteenth Ward.

Includes the territory formerly the City of West Seattle, annexed by Ordinance No. 16558, approved July 24, 1907, and the territory formerly known as Georgetown, annexed by Ordinance No. 23814, approved April 11, 1910.

Sec. 3. Re-districting City Into Wards:—The city council shall have power in the year eighteen hundred and ninety-seven, and in every

fourth year thereafter, to re-district the city into wards, and also to create additional wards out of existing wards.

Population and Number of Wards:—There shall never be more than one ward to each seven thousand population as shown by any official census last preceding, and not less than nine wards at any time.

Wards Approximately Equal in Population and Compact; No New Ward Formed Within Sixty Days Preceding Any Election:—The wards shall be made as nearly equal in population and as geographically compact as possible, nor shall any ordinance re-districting the city into wards or creating new wards out of old take effect within sixty days preceding any election held in the city for municipal, county, district or state officers.

Sec. 4. Annexed Territory to Be Added to Adjoining Ward or Made a New Ward:—Whenever any new territory is added to the city the same shall be attached to and be a part of the ward adjoining thereto; and if such territory shall adjoin more than one ward it shall be added to and be a part of the said ward adjoining thereto which shall have cast the smallest vote at the regular municipal election last preceding such annexation: Provided, That if the city council shall deem the population of such territory to be sufficiently large to constitute a separate ward, it may, by ordinance, declare such territory a distinct ward and assign a number thereto; and the same shall remain a distinct ward until the city is re-districted, as provided in section 3 of this article. No new ward shall be thus created in excess of the number of wards allowed by the provisions of said section 3.

Sec. 5. Election Precincts; Size; No Change Within Sixty Days Before Election:—The city council shall, by ordinance, as often as may be necessary, divide each ward into two or more election precincts, so that each precinct shall contain as nearly as may be 250 voters, and in such manner as will best subserve convenience in voting and will conform to the general laws of the state: Provided, That no alteration of such precincts shall take effect within sixty days next preceding any election held in the city for municipal, county, district or state officers after the year one thousand eight hundred and ninety-six.

Sec. 6. Change in Ward Boundaries Not to Abolish Any Office:—No change in the boundary of any ward shall operate to abolish any office or exclude any councilman or other city officer from office before the expiration of the term for which the incumbent was elected or appointed.

ARTICLE III.

DISTRIBUTION OF GOVERNMENT.

Section 1. Departments:—The government of the City of Seattle shall be divided in fourteen departments and no more; that is to say:

1. The Legislative Department.
2. The Executive Department.
3. The Clerical Department.
4. The Department of Police.
5. The Department of Public Works.

6. The Department of Finance.
7. The Department of Sanitation.
8. The Fire Department.
9. The Harbor Department.
10. The Department of Parks.
11. The Library Department.
12. The Law Department.
13. The Judicial Department.
14. The Civil Service Department.

Sec. 2. The said departments, with the exception of the Judicial, shall be constituted as provided in Articles IV., V., VI., VII., VIII., IX., X., XI., XII., XIII., XIV., XV. and XVI. of this charter, subject to such changes only as are in this charter expressly authorized.

Sec. 3. **Heads of Departments; Official Communications:**—The Mayor shall be deemed the head of the Executive Department, the president of the city council shall be deemed the head of the Legislative Department, the librarian shall be deemed the head of the Library Department, and the members of the commissions or boards created by this charter, and the principal unsubordinated officers in departments wherein there is no commission or board constituted by this charter shall be deemed heads of their respective departments, but no head of department shall have or exercise any power or authority not provided for elsewhere in this charter. Official communications between different departments, except as in this charter otherwise provided, shall be through the heads of departments.

ARTICLE IV.

THE LEGISLATIVE DEPARTMENT.

Section 1. **Legislative Power. Where Vested:**—The legislative powers of the City of Seattle shall be vested in a mayor and city council, who shall have such powers as are provided for by this charter; but the power to propose for themselves any ordinance dealing with any matter within the realm of local affairs or municipal business, and to enact or reject the same at the polls, independent of the mayor and city council, is also reserved by the people of the City of Seattle, and provision made for the exercise of such reserved power; and there is further reserved by and provision made for the exercise by the people of Seattle of the power, at their own option, to require submission to the vote of the qualified electors and thereby to approve or reject at the polls any ordinance, or any section, item or part of any ordinance dealing with any matter within the realm of local affairs or municipal business, which may have passed the city council and mayor, acting in the usual prescribed manner as the ordinary legislative authority.

Initiative and Referendum; How Exercised; Petition; Comptroller to Verify Signatures; Completion of Petition, Consideration in Council:—The first power reserved by the people is the initiative and referendum. It may be exercised on petition of a number of qualified voters equal to not less than ten (10) per cent. of the total number of votes cast for the office of mayor at the last preceding municipal election, proposing and asking the enactment as an ordinance of a bill or measure, the full text of which shall be included in the petition. Any initia-

tive petition shall be filed with the city comptroller, who shall verify the sufficiency of the signatures to the petition, and transmit it, together with his report thereon, to the city council at a regular meeting not more than twenty (20) days after the filing of the petition, and such transmission shall be the introduction of the initiative bill or measure in the city council. If the comptroller shall find any petition to be insufficient in signatures, he shall notify the principal petitioners, and an additional twenty (20) days shall be allowed them in which to complete such petition to the required percentage. Its consideration shall take precedence over all other business before the city council, except appropriation bills and emergency measures necessary for the immediate preservation of the public peace, health or safety.

Council May Enact or Reject but Not Modify; Council May Pass Substitute:—The city council may enact, or reject, any initiative bill or measure, but shall not amend or modify the same. It may, however, after rejection of any initiative bill or measure, propose and pass a different one dealing with the same subject.

When Rejected Measure and Substitute Submitted to People; General and Special Elections:—If the city council shall have rejected any initiative measure, or shall during thirty (30) days after receipt thereof have failed to take final action thereon, or shall have passed a different measure dealing with the same subject, if any has been passed, shall be taken in charge by the city comptroller and submitted to the qualified electors for approval or rejection at the next regular election; but the city council may in its discretion provide for a special election at which the vote shall be taken.

When Special Election Required:—And if the initiative petition in any case shall be signed by a number of qualified voters equal to not less than twenty (20) per cent. of the total number of votes cast for the office of mayor at the last preceding municipal election, or shall at any time be strengthened in qualified signatures up to said percentage, then the city council shall provide for a special election upon said subject, to be held within forty (40) days from the proof of sufficiency of the percentage of signatures.

Notice and Conduct of Election:—Official publication shall be made, notices of election given, and the manner and conduct of election, the preparation of the official ballots, the counting and canvassing of the votes, and the certifying of the returns of the election, shall be done as is provided for the submission to the vote of the people of amendments to the city charter.

Measures Adopted to Become Ordinances, When:—Any measure thus submitted to the vote of the people, which shall receive in its favor a majority of all the votes cast for and against the same, shall become an ordinance of the City of Seattle, and be in full force and effect from and after proclamation by the mayor, which shall be made, and published in the city official newspaper, within five (5) days after the election.

Submission of Substitute and Initiative Measures; If Both Approved, That Having Highest Vote Adopted:—In case the city council shall, after rejection of the initiative measure, have passed a different

measure, dealing with the same subject, it shall be submitted at the same election with the initiative measure and the vote of the qualified electors also taken for and against the same, and if both such measures be approved by a majority vote, if they be conflicting in any particular, then the one receiving the highest number of affirmative votes shall thereby be adopted, and the other shall be considered as rejected.

Power of Simple Referendum as to Ordinances; Exceptions; by Petition or by Council:—The second power reserved by the people is the simple referendum, and it may be exercised and ordered (except as to ordinances necessary for the immediate preservation of the public peace, health or safety, and except as to ordinances providing for the approval of local improvement assessment rolls and providing for the issuance of local improvement bonds), as to any ordinance which has passed the city council and mayor (acting in their usual prescribed manner as the ordinary legislative authority of the city), either upon a petition signed by a number of qualified voters equal to not less than eight (8) per cent. of the total number of votes cast for the office of mayor at the last preceding municipal election, or by the city council itself without petition.

Emergency Measures, What to Contain; Vote Required to Pass:—When an emergency exists in which it is necessary for the immediate preservation of the public peace, health or safety, that an ordinance shall become effective without delay, such emergency and necessity, and the facts creating the same, shall be stated in one section of the bill, and it shall not become an ordinance unless on its final passage by the city council at least three-fourths ($\frac{3}{4}$) of all the members elected vote in its favor (the vote being taken by yeas and nays, and the names of those voting for and against being entered in the journal), and it shall have been approved by the mayor, whereupon it shall be officially published and of full force and effect.

Referendum by Petition; Effect of; Verification of Signatures:—The referendum may be invoked by petition bearing the signatures of the required percentage of qualified voters as to any non-emergency law or ordinance, or any section, item or part of any such law or ordinance, which petition shall be filed with the city comptroller before the day fixed for the taking effect of the said law or ordinance, which shall in no case be less than thirty (30) days after the final favorable action thereon by the mayor and city council, acting in their usual prescribed manner as the ordinary legislative authority of the city, and the filing of such referendum petition as to any such ordinance or section, item or part thereof, shall operate to suspend the taking effect of the same, or any further action thereon, except as herein after provided, viz: The city comptroller shall verify the sufficiency of the signatures to the petition and transmit it, together with his report thereon, to the city council at a regular meeting not less than twenty (20) days after the filing of the petition.

Submission at General or Special Election:—The city council shall thereupon provide for submitting the said ordinance or section, item or part thereof, to the vote of the qualified electors for ratification or rejection, either at the next regular municipal election, or at a special election, as the city council in its discretion may provide.

Notice and Conduct of Election:—Official publication shall be made, notice of election given, and the manner and conduct of election, the preparation of the official ballots, the counting and canvassing of votes, and the certifying of the returns of the election, shall be done substantially as provided in the case of submission to vote of the people of amendments to the city charter.

If Ordinance Approved, When to Take Effect:—If the ordinance thus submitted to the referendum shall receive in its favor a majority of all the votes cast for and against the same, it shall be in full force and effect from and after the proclamation by the mayor, which shall be made and published in the city official newspaper, within five (5) days after the election. Provided, however, that if the ordinance itself shall designate a subsequent date for taking effect, the proclamation shall name the said date as the time for taking effect. If the ordinance shall fail to receive the majority vote in its favor, it shall be considered as rejected and shall be of no force or effect.

Charter Provisions Superseded:—Any provisions of this charter, and particularly any provisions in section 14 and paragraph "forty-first" of section 18 of this article, insofar as they are in conflict with the provisions of this section, are hereby superseded. (*As amended March 7, 1911. Cf. Am. 1908.*)

Sec. 2. City Council Shall Consist of Nine Members:—The City Council shall consist of nine (9) members, elected from the city at large.

Subdivision A. Date and Terms of Election:—A general municipal election shall be held on the first Tuesday following the first Monday in March, 1911, and annually thereafter. At the general election to be held in March, 1911, there shall be elected nine members of the City Council. The three receiving the highest vote shall be elected for a term of three years; the three receiving the next highest vote shall be elected for a term of two years; the three receiving the next following highest vote shall be elected for a term of one year. All shall be elected from the city at large. At each annual general municipal election after the year 1911, there shall be elected three councilmen for a term of three years.

Subdivision B. Council of Eighteen Members Continued Until 1911:—Until the election in the year 1911, and the organization of the City Council thereupon in pursuance of Subdivision A of this section, the City Council shall be constituted in the manner required by the provisions of the city charter relating thereto, as the same existed and were in force at the time of the adoption of this amendment; Provided, however, that the terms of the several members, whether elected as councilmen-at-large, or as ward councilmen, shall cease and terminate at 12 o'clock noon on the second Monday after the general municipal election in March, 1911.

Subdivision C. Annual Salary Fixed at Three Thousand Dollars:—From and after the organization of the city council in 1911, in pursuance of the provision of Subdivision A of this section, each member of the city council shall receive an annual salary of Three Thousand (\$3,000) Dollars, payable in equal monthly installments. Until the organization of the city council in 1911, as above provided, the provisions of the charter existing and in force at the time of the adoption

hereof, regarding the salary of city councilmen shall continue as therein set forth.

Subdivision D. Eligibility for Membership:—No person shall be eligible for member of the City Council, unless he shall have been a citizen of the United States, and a resident and elector of the City of Seattle for a continuous period of at least four years next prior to his election. Residence and voting within the limits of any territory which has been, or may hereafter become annexed to the City of Seattle, shall be deemed and construed to have been within the city, after any such annexation has been accomplished.

Subdivision E. Powers—Limitations—Recall:—All the powers of the city council shall be exercised pursuant to the provisions and limitations of the initiative and referendum powers of the people as set forth in Section 1 of this Article IV., and as are or may be elsewhere provided in the city charter. The members of the city council shall be subject to recall by the people and termination of their term of office in the manner set forth in Section 11 of Article XVIII.

Any provisions of this charter, and particularly the provisions of Sections 3 and 4 of this Article IV., in so far as they are in conflict with the provisions of this section are hereby superseded and repealed. *(As amended March 8, 1910.)*

Sec. 3. *Amended 1900, 1908; repealed 1910.*

Sec. 4. *Repealed 1910.*

Sec. 5. Quorum; Less Number May Adjourn and Compel Attendance of Members:—A majority of all members elected shall constitute a quorum, but a less number may adjourn from day to day, or till the time of the next regular meeting, and may compel the attendance of absent members in such manner and under such penalties as the council shall prescribe.

Sec. 6. Powers and Duties of Council:—The city council shall—

First. Election and Removal of President:—Annually, and also whenever a vacancy occurs, choose from its members its president, who shall perform the usual functions of a presiding officer, and may be removed by the affirmative vote of not less than two-thirds of all the members.

Second. Establishment of Rules:—Establish rules for its proceedings.

Third. Journal; Vote by Yeas and Nays:—Keep a journal of its proceedings and allow the proceedings to be published, and take the yeas and nays on any question on demand of any two members and enter the same in the journal.

Fourth. Punishment and Expulsion of Members:—Have authority to punish its members and others for disorderly or otherwise contemptuous behavior in its presence, and to expel for such behavior in its presence any member by the affirmative vote of not less than two-thirds of its members, specifying in the order of expulsion the cause thereof.

Fifth. Committees:—Have authority to create and use committees of its members, in order to facilitate the discharge of its legislative func-

SECTION 9, ARTICLE IV.

Section 9. (*As amended March 4, 1913.*) **Regular Meetings of Council:**—The Council shall meet upon each Monday of each month, or if any of these days be a legal holiday, then upon the next day, not a legal holiday, thereafter, and all its sessions shall be public, and it shall not adjourn to any other place than its regular place of meeting.

tions; Provided, That no committee of the council and no part of any committee and no member shall have or exercise executive or administrative power, except as otherwise expressly provided in this charter.

Sixth. Power to Compel Attendance of Witnesses and Production of Papers:—Have power to compel attendance of witnesses as well as production of papers and things pertinent to business before it or any of its committees.

Sec. 7. Finance Committee, Powers and Duties:—The city council shall have power to and shall appoint from its members a committee, consisting of three or more, to be denominated "finance committee," and to fill all vacancies in said committee. Such committee shall have power to investigate the transactions and accounts of all officers having the collection, custody and disbursement of public money, or having the power to approve, allow or audit demands on the treasury; it shall have free access to any records, books and papers in all public offices; and shall have power to administer oaths or affirmations, and to examine witnesses and compel attendance before it by subpoena. Said committee may visit any of the public offices, when and as often as it thinks proper, and make its examinations and investigations therein without hindrance. It shall be the duty of such committee, as often as once in every six months, to examine the official bonds of all city officers and depositories of the city funds, and inquire into and investigate the sufficiency and solvency of the sureties thereon and report the facts to the mayor. Such report shall specify each bond, with the sureties and the amount for which each surety is bound, and state whether or not they are deemed sufficient and solvent. Upon such report the mayor shall act so as to protect the city, and may require new bonds when necessary, and he may suspend the officer until a sufficient bond is filed and approved. In the exercise of its functions, a concurrence of a majority of the members of said committee shall be deemed sufficient. Said committee shall keep a record of its proceedings, with the names of the witnesses examined, and a substantial statement of the evidence taken. If from the examination made by said committee it shall appear that a misdemeanor in office or a defalcation has been committed by any officer, said committee shall immediately report to the mayor, who, if he approve such report, shall forthwith suspend such officer, and take the proper steps under this charter to remove him or to cause his removal. Any police officer shall execute the process and orders of said committee.

Sec. 8. Examination of Books of Treasurer and Comptroller:—The finance committee shall, at least once each year, be required to have a thorough examination made by expert accountants of all the books of the city treasurer and the city comptroller, unless such examination be made by other lawful authority, and report the result of such investigation to the city council. (*As amended March 5, 1912.*)

Sec. 9. Regular Meetings of Council:—The council shall meet upon the first and third Mondays of each month, or if either of those days be a legal holiday, then upon the next day, not a legal holiday, thereafter, and all its sessions shall be public, and it shall not adjourn to any other place than its regular place of meeting.

Special Meetings:—The mayor, or, in his absence or disability, the president of the council, or any three councilmen, may call a special meeting of the council. (*As amended March 6, 1906.*)

Sec. 10. Legislative Acts by Ordinance; Subject Matter; Title; Enacting Clause:—Every legislative act of said city shall be by ordinance. Every ordinance shall be clearly entitled and shall contain but one object, which shall be clearly expressed in its title. The enacting clause of every ordinance shall be: "Be it ordained by the City of Seattle as follows:"

Sec. 11. Majority Vote by Yeas and Nays Required to Pass Ordinance; Record:—No bill shall become an ordinance unless on its final passage at least a majority of all the members elected vote in its favor, and the vote be taken by yeas and nays, and the names of those voting for and against the same be entered in the journal.

Final Passage, When:—No ordinance, other than an ordinance providing for appropriations for salaries or current expenses, shall be passed on its final reading at the meeting at which it is introduced.

Sec. 12. Ordinances, How Amended:—No ordinance shall be revised, re-enacted, or amended by reference to its title; but the ordinance to be revised or re-enacted or the section thereof amended, shall be re-enacted at length as revised or amended.

Sec. 13. Motion to Reconsider:—When a bill is put upon its final passage and fails to pass, and a motion is made to reconsider, the vote upon such motion shall not be acted on before the next meeting of the council.

Bills Granting Franchise:—No bill for the grant of any franchise shall be finally passed within thirty days after its introduction, nor until it has been published in the official newspaper of the city at the expense of the applicant for ten days daily.

Sec. 14. Ordinances, When to Take Effect:—No ordinance shall take effect until ten days after its passage, unless otherwise expressed in said ordinance. (*See Sec. I, Art. IV.*)

Sec. 15. Bills, How Signed:—Every bill, after it has passed, shall be signed by the president of the council in open session, in authentication of its passage; in signing such bill, the president shall call the attention of the council to the bill, and that he is about to sign it, and, if any member so request, the bill shall be read at length for information as to its correctness as enrolled. If any member object that the bill is not the same as when considered and passed, such objection shall be passed upon, and if sustained the president shall withhold his signature and the bill shall be corrected and signed before the council proceeds to any other business.

Sec. 16. Bills to be Presented to Mayor, When:—Every bill which shall have passed and been authenticated as provided in the last section shall within five days thereafter be presented to the mayor.

Return of Bills; Veto:—The mayor shall return such bill to the council within ten days after receiving it, and if he do not disapprove it,

it shall become an ordinance; if he disapprove it, he shall, when he so returns it, specify his objections thereto in writing. The objections of the mayor shall be entered at large on the journal of the council, and published in the city official newspaper.

Reconsideration of Vetoed Bills:—The council shall, not less than five days after such publication, and within thirty days after such bill shall have been so returned, reconsider and vote upon the same, and if the same shall, upon such reconsideration, be again passed by the affirmative vote of not less than two-thirds of all the members elected, the president of the council shall certify the fact on the bill, and when so certified the bill shall become an ordinance with like effect as if it had not been disapproved by the mayor; but if the bill so returned shall fail to receive upon the first vote thereon an affirmative vote of two-thirds of the members elected it shall be deemed finally lost. The vote on such reconsideration shall be taken by yeas and nays, and the names of members voting for or against the same shall be entered in the journal thereof.

Sec. 17. Record and Publication of Ordinances and Resolutions:

—All ordinances and resolutions shall be deposited with the city clerk, who shall record the same at length in a suitable book kept for that purpose. All ordinances of a general, public or permanent nature, and those imposing a fine, penalty or forfeiture, shall be published at least once in the city official newspaper within three days after the same shall have become a law; Provided, That the publication of all ordinances granting any franchise or private privilege or approving or vacating any plat shall be at the expense of the applicant therefor.

Sec. 18. Powers of Council:—The city council shall have power by ordinance and not otherwise—

First. Elections; Appointment and Election of Officers; Officer Defined:—To provide for general and special elections for questions to be voted upon, and to provide for the appointment and election of officers. Any person who, by the provisions of this charter or any amendment thereto, may be appointed or elected to any office or employment created in pursuance thereof, shall be deemed an officer within the meaning of this section.

Second. Assessment, Levy and Collection of Taxes; Limitation of Levies; Poll Tax:—To provide for the assessment, levying and collecting taxes on real and personal property for the corporate uses and purposes of the city, and to provide for the payment of the debts and expenses of the corporation, but no tax for general municipal purposes shall exceed four-tenths of one per centum per annum; no tax to provide fire engines or other fire apparatus and a supply of water to quench fire, or for any of said purposes, shall exceed three-tenths of one per centum per annum; no tax to provide for purchase and condemnation of land for public uses and improvement and ornamentation thereof, and erection of structures thereon, or to provide for any of said objects, shall exceed two-tenths of one per centum per annum; no tax to provide for furnishing gas, electricity and lights, and

for construction of works necessary or convenient therefor, or for any of said purposes, shall exceed two-tenths of one per centum per annum; no tax for streets and alley improvement and repair, exclusive of assessments mentioned in subdivisions seventh, eighth and tenth of this section, and construction and repair of sewers, and conduits, other than water pipe, or for any of said purposes, shall exceed four-tenths of one per centum per annum; no tax for construction and repair of water works and appurtenances, or of any of the same, shall exceed one per centum per annum; and no tax for the maintenance and operation of water works and for paying rent for water works or water, or for any of said purposes, shall exceed five-tenths of one per centum per annum; and all taxes, exclusive of assessments for improvements mentioned in said subdivisions seventh, eighth and tenth, shall not in any year exceed three per centum of the property assessed; and all taxes for special purposes other than water works and water supply, and exclusive of assessments for improvements mentioned in said subdivisions seventh, eighth and tenth, shall not in any year exceed one and one-tenth per centum of the property assessed; and to provide for the assessment and collection of a road poll tax not exceeding four dollars per poll on all male inhabitants between the ages of twenty-one and fifty years inclusive.

Third. Control of Finances and Property:—To control the finances and property of the city; Provided, That the city council shall have no administrative as distinguished from the legislative power.

Fourth. Acquisition and Disposal of Property:—To acquire by purchase or by exercise of the right of eminent domain or otherwise and for the use and in the name of the city, such lands and other property as may be deemed necessary, proper or convenient for any of the corporate uses provided for by this charter, and to acquire for the use of the city and property by gift, bequest or devise, and to dispose of all such property as it shall have, as the interests of the city may from time to time require.

Fifth. Borrowing Money and Issuing Bonds; Limit of Indebtedness; Funding Bonds:—To borrow money for corporate purposes on the credit of the city and to authorize the issue of negotiable bonds therefor on such condition or conditions and in such manner as may be prescribed in this charter and the constitution and laws of this state; but the indebtedness of the city shall at no time exceed in the aggregate ten per centum of the value of all taxable property in said city, such value to be ascertained and determined by the last assessment for city purposes previous to the incurring of such indebtedness, and under the limitations above stated to authorize the issue of bonds in place of or to supply the means with which to meet maturing bonds or other indebtedness or for the consolidation or funding of the same; Provided, That no bond or set of bonds shall be issued for a longer period than twenty years.

Sixth. Purchase and Appropriation of Property:—To provide for the purchase or appropriation of property within or without the corporate limits of the city for its corporate uses, upon making just compen-

sation to the owners thereof; and to provide for the institution and maintenance of such proceedings as may be authorized by the general laws of the state for the appropriation of private property for public use.

Seventh. Establish, Improve, Control and Vacate Streets and Public Places; Certain Streets and Lands to pass to or vest in Port of Seattle, When:—To lay out, establish, open, alter, widen, extend, grade, regrade, establish grades of and improve streets, alleys, avenues, wharves, and other public grounds, and to regulate and control the use thereof, and to vacate the same and to authorize or prohibit the use of electricity, at, in or upon any of said streets or for other purposes, and to prescribe the terms and conditions upon which the same may be so used, and to regulate the use thereof; to extend, establish, widen or vacate any street, over or across, or along the harbor, shore or tide lands in the city; Provided, That whenever the City of Seattle or the Port of Seattle shall have presented to the qualified electors of either municipality for adoption or rejection, and there shall have been adopted by vote of the electors voting thereon a comprehensive plan or scheme of harbor or port improvement, that the control of such streets and the title to any lands belonging to the city which shall fall within the limits of such proposed improvement shall pass to or be vested in the Port of Seattle within thirty (30) days after said Port of Seattle is prepared to proceed with the improvement so authorized and shall have so certified to the city council. (*As amended March 5, 1912.*)

Eighth. Change of Grades; Payment of Damages:—To change the grade of any street, highway or alley within its corporate limits and to provide for the payment of damages to any abutting owner or owners who shall have built or made other improvements upon such street, highway or alley at any point opposite to the point where such change shall be made in such grade.

Ninth. Control of Railroads in Public Places:—To authorize or prohibit the locating and constructing of any railroad or street railroad in any street, alley or public place of the city, and to prescribe the terms and conditions upon which any such railroad or street railroad shall be located, operated or constructed; to provide for the alteration, change of grade or removal thereof; to regulate the moving and operation of railroad and street railroad trains, cars and locomotives within the corporate limits of the city; and to provide for, and it shall be the duty of the council by ordinance to provide for, the protection of all persons and property against injury in the use of any such railroad or street railroad, or car thereof.

Tenth. Local Improvements at Expense of Property Benefited:—To provide for making local improvements and to levy and collect special assessments on property benefited thereby, and for paying for the same or any portion thereof.

Eleventh. Acquisition and Improvement of Parks:—To acquire by purchase or by exercise of the right of eminent domain or otherwise, lands for public parks, within or without the limits of said city, and to improve the same.

Twelfth. Construction, Repair and Control of Bridges, Viaducts and Tunnels:—To construct and keep in repair bridges, viaducts and tunnels, and to regulate the use thereof.

Twelfth (a). (Adopted March 3, 1908). Acquiring, Opening and Operating Stone Quarries, Asphalt Plants and Manufacture and Sale of Products:—To provide by ordinance for acquiring, opening and operating stone quarries, either within or without the city limits, and for the erection of asphalt plants and the preparation, manufacture and sale of all such stone or asphalt products or compositions or other materials which may be used in street construction or maintenance, and to fix the price at which such materials shall be sold.

Thirteenth. Determine Work to be Paid for by and Provide for Local Assessments:—To determine what work shall be done or improvements made at the expense in whole or in part of the owners of the adjoining, contiguous or proximate property, or others especially benefited thereby, and to provide for the manner of making and collecting assessments therefor.

Fourteenth. Acquisition, Erection and Operation of Water Works; Sale of Water, Free Water:—To provide for erecting, purchasing or otherwise acquiring, as the sole and exclusive property of the city, water works, within or without the corporate limits of the city, to supply said city and its inhabitants with water for any and all purposes, and to fix, alter, regulate and control the use and price of the water so supplied; Provided, however, that the city council shall not enter into any contract or agreement whatever with any person, company or corporation for its water supply or distribution, or for the joint or entire use of the whole or any part of the city water supply or distributing plant, including conduits, mains and reservoirs, without first submitting such proposed contract or agreement to a vote of the qualified electors of the city at a general election, or special election called for that purpose, and unless a majority of said electors voting at said election shall vote therefor; Provided further, That nothing herein contained shall be so construed as to prevent the city from selling to any consumer water for power or other uses, or the power manufactured from water, upon terms open to all consumers; and Provided further, That the city council may, in its discretion, grant, by ordinance, to any institution which is supported in whole or in part by public charities, the free use of city water. (*As amended March 6, 1906.*)

Fifteenth. Public Utilities—Municipal Light Plant, Street Railways, Telephones, Ferries, Water Power Sites—Powers relating to:—To construct, condemn and purchase, purchase, acquire, add to, maintain and operate, within or without the limits of the city, works, plants and facilities for the purpose of furnishing the city and the inhabitants thereof, and any other person, with gas, electricity and other means of power and facilities for lighting, heating, fuel and power purposes, public and private, with full authority to regulate and control the use, distribution and price thereof, together with the right to handle and sell, or lease, any meters, lamps, motors, transformers, and equipment for accessories of any and

every kind, necessary and convenient for the use, distribution and sale thereof; to authorize the construction of such plant or plants by others for the same purpose, and to purchase such gas, electricity or power from others, either within or without the city, for its own use, and for the purpose of selling to its inhabitants and other persons doing business within the city, and to regulate and control the use and price thereof; to construct, condemn and purchase, purchase, acquire, add to, maintain, operate or lease cable, electric, steam and other railways within or without the limits of the city for the transportation of freight and passengers above, upon or underneath the ground, with full authority to regulate and control the use and operation thereof, and to fix, alter, regulate, and control the fares and rates on all such railways and on all other railways of like nature within the city owned or operated by others; to construct, condemn and purchase, purchase, acquire, add to, maintain and operate, within or without the limits of the city, works, plants and facilities for the purpose of furnishing the city and the inhabitants thereof and any other persons, with telephone service, local and long distance, or either, and to connect such city service with any and all other telephone systems, local and long distance; and to regulate and control the use and price thereof; to lay out, construct, condemn and purchase, purchase, acquire, add to, maintain, conduct and operate any and all systems of ferries, ferry slips and docks, rail and water transfer and terminal facilities within or without the limits of the city; to acquire by purchase or condemnation an adequate water power supply and site and to construct, operate and maintain an electric power and light plant and system for furnishing power and light for industrial, individual and municipal uses; and to provide and secure payment therefor in whole or in part by net earnings therefrom, or by general bonds of the City of Seattle bearing interest not to exceed five per cent per annum, sold to the highest bidder and for not less than par, the principal of which shall be payable serially in such amounts and at such times as may be agreed upon between the tenth and fortieth years after their date of issuance, or by any ways and means now or hereafter allowable by law, and to do anything necessary or proper in order to carry out the foregoing purpose; Provided, however, That no public utility shall be purchased, acquired or constructed, nor any additions or betterments thereto or extensions thereof be made, for which a general indebtedness is to be incurred by the city, unless the council shall provide therefor by ordinance, which shall specify and adopt the system or plan proposed, and declare the estimated cost thereof, as near as may be, nor shall any public utility or plant be sold unless the council shall provide therefor by ordinance, which ordinance shall specify the terms and conditions of any such sale, and neither such purchase nor such sale shall be made unless the same shall be submitted for ratification or rejection to the qualified voters of the city at a general or special election, and unless such proposition shall be adopted and assented to by three-fifths of the qualified voters of the city, voting thereon at said election. (*As amended March 5, 1912.*)

Sixteenth. (*As amended March 3, 1908.*) **Establishment and Regulation of Markets; Regulation of Sale of Products, and of Weights and**

Measures:—To establish and regulate markets, and to provide for the weighing, measuring and inspection of all commodities offered for sale thereat, or at any other place within the city limits; to enforce the keeping of proper legal weights and measures by all vendors in the city, and to provide for the inspection thereof; to provide by ordinance for the erection and maintenance of city scales at suitable points within the city limits; the weighing thereon of such commodities as the city council may by ordinance designate, and to require the delivery to the purchaser of an official certificate of the weight of such commodity as shown on such scales, and to provide proper penalties for the violation of any of the provisions of such ordinances.

Seventeenth. (*As amended March 5, 1912.*) **Erection, Establishment, Control and Regulation of Hospitals and Sanitariums:**—To erect and establish hospitals, sanitariums, sanatoriums and isolation hospitals and to control and regulate the same.

Eighteenth. **Erection, Establishment, Control and Regulation of Jails; Working of Prisoners:**—To erect and establish work-houses and jails, and to control and regulate the same, and to provide for the working of prisoners confined therein; Provided, That no prisoner shall be required to perform any labor until he shall have been duly convicted of some offense punishable by imprisonment, and duly sentenced thereto.

Nineteenth. **Establishment of Reform Schools:**—To provide for establishing and maintaining reform or training schools for juvenile offenders.

Twentieth. **Establishment, Maintenance and Regulation of Public Library:**—To provide for the establishment and maintenance of a public library or libraries, and to appropriate annually such percentum of all moneys collected for fines, penalties and licenses as shall be prescribed by this charter for the support of a city library, which shall, under such regulations as shall be prescribed by ordinance, be open for use by the public.

Twenty-first. (*As amended March 3, 1908.*) **Regulation of Burials and Cemeteries:**—To regulate the burial of the dead, to regulate cemeteries within or without the city limits; to acquire land for cemetery purposes without the city limits by purchase, condemnation or otherwise; to cause cemeteries to be removed beyond the city limits and to prohibit the establishment of any cemetery within two miles of the boundaries of the city. The establishment or platting of new cemeteries or the extension of existing cemeteries within the limits of the City of Seattle is hereby prohibited.

Twenty-second. **Regulation of Buildings Used for Offensive Occupations:**—To direct the location and construction of all buildings in which any trade or occupation offensive to the senses or deleterious to the public health or safety shall be carried on, and to regulate the management thereof; and to prohibit the erection and maintenance of such buildings or structures, or the carrying on of such trades or occupations

within the limits of the city or within the distance of two miles beyond the boundaries thereof.

Twenty-third. Establish Fire Department; Prevention and Extinguishment of Fires; Regulation of Combustible and Explosive Substances:—To make regulations for the prevention of accidents by fire, to organize and establish a fire department, to provide fire engines and other apparatus, and to provide for the prevention and extinguishment of fires and to regulate or prohibit the transportation, keeping or storage of all combustible or explosive materials within the corporate limits of the city, and to restrain and regulate and prohibit the use of fireworks.

Twenty-fourth. Establishment of Fire Limits and Regulation of Buildings:—To establish fire limits and enlarge the same as circumstances may require, and make all such regulations for the erection and maintenance of buildings or other structures within the corporate limits as the safety of persons or property may require, and to cause all such buildings and places as may from any cause be in a dangerous state to be put in a safe condition, and to prohibit the erection or construction within such fire limits of any building or structure or any addition to any building or structure unless such building, structure or addition be constructed of such material and in conformity to such rules, regulations and conditions as the city council shall have provided; and to provide for the removal of any building or structure or any addition to any building or structure erected contrary to such prohibition.

Twenty-fifth. Regulation of Erection and Maintenance of Buildings and Structures:—To regulate the manner in which stone, brick and other buildings, party walls and partition fences shall be constructed and maintained.

Twenty-sixth. Construction, Improvement, Maintenance, Regulation and Acquisition of Water Ways:—To provide for the deepening, widening, docking, covering, walling, altering or changing the channels of water-ways and water-courses, and to provide for the construction and maintenance of canals, slips, public landing places, wharves, docks and levees, and all such other work as may be required for the accommodation of commerce, and to control and regulate the use thereof; and further, to provide for the condemnation of all such work or works by the city and for its use and benefit; and for the construction and maintenance and ownership of the same by the city.

Twenty-seventh. Regulation of Water Craft:—To control, regulate and prohibit the anchorage, moorage and landing of all water craft and their cargoes within the jurisdiction of the corporation.

Twenty-eighth. Fixing and Collection of Wharfage and Harbor Fees:—To fix the rate of wharfage, storage and dockage, and to provide for the collection thereof, and to provide for the imposition and collection of such harbor fees as may be consistent with the laws of the United States.

Twenty-ninth. **Licensing and Regulation of Boats:**—To license, regulate, control or restrain wharf-boats, tugs and other boats used about the harbor or within the jurisdiction of the city.

Thirtieth. **Regulation of Public Halls, Water Courses, Ponds, Defilement of Streams, Sources of Water Supply, Places Dangerous to Health, Quarantine and Contagious Diseases:**—To require the owners of public halls or other buildings to provide suitable means of exit; to provide for the prevention and abatement of nuisances; for the cleaning and purification of water courses and canals; for the draining and filling up of ponds on private property within its limits, when the same shall be offensive to the senses or dangerous to health; to regulate and control and provide for the prevention and punishment of the defilement or pollution of all streams running into or through its corporate limits, and for the distance of five miles beyond its corporate limits, and of any stream or lake from which the water supply of said city is or may be taken, for a distance of five miles beyond its source of supply; to provide for the cleaning of areas, vaults and other places which may be so kept as to become offensive to the senses or dangerous to health; and to make all such quarantine and other regulations as may be necessary for the preservation of the public health; and to remove all persons afflicted with any infectious or contagious disease to some suitable place to be provided for that purpose.

Thirty-first. **Abatement and Punishment of Nuisance:**—To declare what shall be a nuisance and to provide for the abatement of the same, and for the punishment of any person or party who may create, continue or suffer a nuisance to exist.

Thirty-second. (*As amended March 3, 1908.*) **Licensing and Regulation of Liquor Traffic; Limitations and Restrictions:**—To license, tax, confine within limits of time and place to be by the city council prescribed, and to otherwise regulate the selling or giving away or other disposal of intoxicating, spirituous, malt, vinous, mixed or fermented liquors, and the collection of the license money therefrom for the use of the city; Provided, That no license shall be granted to any person or persons who shall not first comply with the general laws of the state in force at the time the same is granted; and provided further, that the power of the city council shall be further subject to the limitations and restrictions hereinafter set forth.

(a). **Saloon Patrol Districts; Designation of Boundaries. How Construed:**—Hereafter no license (except a wholesale license as hereinafter defined) shall be granted to any person or persons, authorizing the sale or giving away or other disposal of any such liquors at any place within the limits of the City of Seattle outside of the districts hereinbelow designated for the granting of licenses, except as otherwise specifically hereinbelow provided. The city council, in its discretion, subject to the limitations herein stated, shall have authority to grant such licenses within the limits of the three saloon patrol districts hereinbelow described, it being understood that the designation of any street in defining the boundary of any of the districts herein contained shall be taken to

mean and include within the district premises with frontages upon either side of the street named, but when a specific margin of any boundary street is designated, it shall be taken to mean and include within the district only frontages upon said margin of said street.

Boundaries of Saloon Patrol District Number One:—Beginning at the intersection of First Avenue and Wall Street and running thence easterly on Wall Street to the west margin of the alley between First and Second Avenues; thence southerly on the west margin of said alley to the south margin of Pine Street; thence easterly on the south margin of Pine Street to the west margin of Third Avenue; thence southerly on the west margin of Third Avenue to Pike Street; thence easterly on Pike Street to Fifth Avenue; thence southerly on the west margin of Fifth Avenue to a point seventy-five (75) feet southerly from Pike Street; thence westerly, parallel with and seventy-five (75) feet southerly from Pike Street to the west margin of the alley between Third and Fourth Avenues; thence southerly along the west margin of said alley to a point sixty (60) feet northerly from Union Street; thence westerly, parallel with and sixty (60) feet northerly from Union Street to a point sixty (60) feet westerly from Third Avenue; thence southerly, parallel with and sixty (60) feet westerly from Third Avenue to a point sixty (60) feet southerly from Union Street; thence westerly, parallel with and sixty (60) feet southerly from Union Street to the west margin of the alley between Second and Third Avenues; thence southerly along the west margin of said alley to the south margin of Cherry Street; thence easterly along the south margin of Cherry Street to Third Avenue; thence southerly along Third Avenue to Yesler Way; thence east along Yesler Way to Fifth Avenue South; thence south on Fifth Avenue South to King Street; thence east on King Street to Maynard Avenue; thence south on Maynard Avenue to Lane Street; thence east on Lane Street to Seventh Avenue South; thence south on Seventh Avenue South to Charles Street; thence east on Charles Street to Eighth Avenue South; thence south on Eighth Avenue South to the point of intersection of the east margin of Eighth Avenue South with the west margin of the right-of-way of the Northern Pacific and Columbia and Puget Sound Railways; thence southerly along the west margin of said right-of-way to the north side of Nevada (formerly Rainier) Street; thence west along the north side of said Nevada Street to Eighth Avenue South; thence north along Eighth Avenue South to Hanford Street; thence westerly along Hanford Street to Sixth Avenue South; thence north along Sixth Avenue South to Holgate Street; thence west along Holgate Street to the east margin of Utah Street; thence north on the east margin of Utah Street to Connecticut Street; thence west on Connecticut Street to the east margin of Railroad Avenue; thence north along the east margin of Railroad Avenue to Yesler Way and continuing north along the east margin of Western Avenue to Columbia Street; thence easterly along the south margin of Columbia Street to the east margin of Post Street; thence northerly along the east margin of Post Street to a point one hundred twenty (120) feet northerly from Madison Street; thence westerly, parallel with and one hundred twenty (120) feet northerly from Madison Street to the east margin of

Railroad Avenue; thence northerly along the easterly margin of Railroad Avenue to Wall Street; thence easterly on Wall Street to First Avenue and the place of beginning; including also frontages upon both sides of First Avenue from Wall Street to the south margin of Denny Way; provided, however, that premises with frontages upon Second Avenue between Pike Street and Pine Street, and premises with frontages upon Jackson Street between Third Avenue South and Fifth Avenue South shall not be deemed to be included within the above district.

Boundaries of Saloon Patrol District Number Two (Ballard):—Ballard Avenue and one hundred (100) feet on both sides thereof from the west margin of Seventeenth Avenue Northwest (formerly First Avenue West) to the south margin of the street platted as Jefferson Place; also a strip of land one hundred (100) feet wide along the southwesterly side of Ballard Avenue extending from Jefferson Place to the northerly margin of lot eight (8), block seventy-two (72), Gilman Park Addition.

Boundaries of Saloon Patrol District Number Three (South Park):—The premises for which a license existed on March 3, 1908, at the northwest corner of Cloverdale Street and Eighth Avenue South; the premises for which a license existed on March 3, 1908, at the northwest corner of Caledonia Street and Eighth Avenue South; frontages on Valley Road between Orchard and Caledonia Street; the premises upon which a license existed on March 3, 1908, at or near the northeast corner of what is commonly known as the McNatt Ranch, within the limits of the former municipality of South Park, now a part of the City of Seattle.

Boundaries of Saloon Patrol District Number Four (Georgetown): *(As adopted March 5, 1912.)*—Beginning fifty (50) feet west on Lucelle Street from the intersection of Lucelle Street and Duwamish Avenue; thence southerly and parallel with and including frontages on the west side of Duwamish Avenue to the south side of Vale Street; thence westerly on Vale Street to Twelfth Avenue South; thence southerly on Twelfth Avenue South to the north margin of Harney Street; provided, however, that premises with frontages on Duwamish Avenue at the northwest corner of Duwamish Avenue and Vega Street; and premises with frontage at 7301 Duwamish Avenue shall be deemed to be included within the above number four district; and further provided, that no license shall be granted to the location at 7301 Duwamish Avenue which shall extend beyond December 31, 1912.

(b). **Limits Hotel Liquor License District:**—The city council in its discretion, subject to the limitations herein stated, shall have authority to grant licenses for the sale or disposal of such liquors in bona fide commercial hotels within the limits of the hotel liquor license district described as follows, to-wit:

Boundaries of Hotel Liquor License District:—The territory lying east of and adjoining Saloon Patrol District Number One, particularly defined as follows: Bounded on the west by said District Number One; on the north by the south margin of Denny Way; on the south by King Street and on the east by the following, to-wit: The west margin of

the alley between Fourth and Fifth Avenues from Denny Way southerly to one hundred twenty (120) feet north of Pine Street; thence easterly parallel with Pine Street to the west margin of the alley between Sixth and Seventh Avenues; thence southerly along the west margin of said alley to Yesler Way; thence east to the west margin of the alley between Maynard Avenue and Seventh Avenue South; thence south along the west margin of said alley to King Street. Also the territory lying west of and adjoining Saloon Patrol District Number One, particularly defined as follows: Bounded on the north by a line parallel with and distant one hundred twenty (120) feet northerly from Madison Street; on the west by the easterly margin of Railroad Avenue; on the south by Yesler Way, and on the east by said Saloon Patrol District Number One. Also all premises with frontages upon Second Avenue between Pike Street and Pine Street and all premises with frontages upon Jackson Street between Third Avenue South and Fifth Avenue South.

Hotel Liquor Licenses; Where and When Granted:—The authority to grant such licenses within the Hotel Liquor License District may be exercised by the City Council in the following cases, and not otherwise, namely: Any such license may be granted only for a bona fide commercial hotel, in which adequate and general provision is made for transient guests, and which has at least one hundred sleeping rooms in use for hotel purposes, all under a single management, to whom the license, if granted, shall be issued, and the license shall distinctly prescribe and limit the sale and disposal of liquor authorized under it to a defined room or other enclosed portion of the building, having no frontage upon or direct entrance from any street or alley, but having its entrance solely from within the hotel, and there shall be no sign or other advertisement or designation of such licensed location exposed so as to be read from any street or alley. Every such license within the Hotel Liquor License District shall distinctly specify the terms and restrictions governing and controlling the same.

(c). **Main Entrance on Alleys Prohibited; Exception:**—Hereafter no license shall be granted within the saloon patrol district herein described, except that part of District Number One lying along and east of Sixth Avenue South between King and Hanford Streets, for any premises whereby the main entrance to the place of selling or disposing of the liquors shall be on any alley.

(d). **Existing Saloons With Alley Entrances:**—The foregoing provisions are subject to the following proviso: That wherever there was on January second, 1908, any valid license outstanding and in actual use for premises situated outside of the saloon patrol districts herein described, or for any premises whereby the main entrance is upon an alley, such licenses shall continue in force (subject to the right of the city council to revoke or terminate the same at any time as provided by general laws and ordinances) until the expiration of their respective terms, and the city council shall have the same discretion as in other cases to continue from time to time to grant licenses for the precise premises so in use under such licenses, or any of them, except that in no event shall

any license be granted or continued under the provisions of this proviso for any term or time which shall extend beyond December thirty-first, 1912.

(e). **No New Saloons Within Thirty Feet of Street Corner; Exception:**—Within the saloon patrol districts herein described, except that part of District Number One lying along and east of Sixth Avenue South, between King and Hanford Streets, no liquor license of any kind shall hereafter be granted for any premises situated within thirty (30) feet of a street corner (meaning by corner the intersection of the marginal lines of two streets) except for premises for which valid licenses were outstanding and in actual use on January second, 1908.

(f). **Time Limit of Existing Saloons Within Thirty Feet of Certain Street Corners; Proviso as to Basements:**—No liquor license of any kind shall be granted or continued for any term or time which shall extend beyond December thirty-first, 1912, for any premises situated within thirty (30) feet of a street corner (as defined above) at any of the following street intersections, namely, Pike Street and First Avenue, Pike Street and Second Avenue, Madison Street and First Avenue, Madison Street and Second Avenue, James Street and Second Avenue, James Street and Third Avenue, Yesler Way and Second Avenue; Provided, that this restriction shall not apply to any basement situated at any of said corners whose entrance is on one street and is distant at least sixty (60) feet from the corner, such basement having no entrance, window or other communication with the other street.

(g). **Limit of Number of Saloons in any Block:**—Within the saloon patrol districts herein described, except that part of District Number One lying along and east of Sixth Avenue South, between King and Hanford Streets, no license shall hereafter be granted which shall make the number of licensed places situated on the same block of land and fronting on the same street exceed two (including herein basements as well as other premises and counting all kinds of liquor licenses) except that in cases where there were outstanding on January second, 1908, valid licenses for more than two licensed places situated on the same block of land and fronting on the same street, the city council shall have the same discretion as in other cases to continue to grant licenses hereafter for the precise premises so in use under such licenses; Provided, that when by reason of transfer or otherwise any premises falling within the foregoing exception shall be abandoned as a place for selling such liquors, or be used for other purpose, said exception shall no longer apply to such premises.

(h). **Limit of Aggregate Number of Liquor Licenses:**—The aggregate number of liquor licenses outstanding in the city, exclusive of hotel licenses within the Hotel Liquor License District, and exclusive of purely wholesale licenses, as herein defined, shall not exceed three hundred and fifteen (315) at any time prior to December thirty-first, 1912, nor thereafter until the population of the city exceeds five hundred thousand (500,000).

(i). **Licenses Specific as to Grantee and Location; Transfer of Licenses:**—Every liquor license shall be specific, both as to the person, firm or corporation licensed and as to the particular premises where the same is to be used, and as to the person paying for the same. The city council may, in its discretion, consent to the transfer of any license as to person or location, but no license shall be transferred to any location except one for which such license might be granted under these charter provisions.

(j). **Consent of Party Paying for License Necessary to Transfer:**—No transfer of a license, either as to person or location, shall be allowed or granted without the written consent of the person or corporation who has paid for the license, or his or its assignee. Such person or corporation shall be designated in the application for the license or in an assignment filed with the city clerk. For all licenses granted and in force at the present time a notice of such deposit may be given in writing and filed with the city clerk within twenty days after this amendment goes into force and effect.

(k). **Renewals in Name of Actual Owner; Who to be Deemed Owner:**—Every grant of a license which is a renewal of a license theretofore existing for premises theretofore occupied as a licensed place for selling liquors shall be made in the name of the actual owner of the existing license or with the written consent of such owner, and any person paying or having paid the license fee to the city for any license shall be deemed to be the owner of the same for the purposes of this clause and the last preceding clause.

(l). **Change of Location of Saloons Occupying Leaseholds:**—Where at any time before December thirty-first, 1912, saloons are located on any street such locations shall be known as saloon locations, and the location of the business carried on therein shall not be altered or changed during the term of any bona fide lease, or bona fide renewal thereof, existing at the time of the expiration of any license unless the lease therefor finally expires within the next annual license period. This restriction may be waived at any time by a vote of two-thirds of the city council. This clause (l) shall expire by limitation on December thirty-first, 1912, and thereafter shall have no effect.

(m). **Term of Licenses; Amount of License Fees:**—No liquor license shall be granted for a longer period than one year. The sum required for any liquor license shall in no case be less than one thousand dollars (\$1,000) per year except that licenses for the selling or giving away or other disposal of such liquors at wholesale only, which shall be known as wholesale licenses, shall in no case be less than four hundred fifty dollars (\$450) per year.

Wholesale Licenses, Sales Authorized Under:—A wholesale license shall in no case authorize or permit the sale, giving away or other disposal of liquor where the same or any part thereof is to be consumed on the premises where sold or otherwise disposed of, or in any premises used in connection therewith, and under such license the liquor must

be sold, given away or disposed of in quantities of not less than one gallon, if within any of the saloon patrol districts, and in quantities of not less than three gallons, if outside of said districts. Wholesale licenses outside of said saloon patrol districts shall not be granted except to manufacturers of liquors or bottlers thereof.

Amount and Collection of License Fees; No Remission; Bond Required:—The sum required to be paid for any liquor license shall in no case be less than the amount required by the general laws of the state for houses or business of like character, and all license fees shall be collected and paid into the city treasury before the issuance of the license, and no remission of any such license fee shall be made during the period for which it is granted; and the bond required to be given by keepers or proprietors of saloons or drinking houses shall not in any case be fixed at less than two thousand dollars (\$2,000).

(n). **Council May Refuse Licenses and Permission to Transfer:**—Nothing contained in any of the provisions of this amendment shall be construed as requiring the city council to grant any license whether in renewal of a previously existing license or otherwise or to consent to the transfer of any license.

Thirty-third. **Granting and Revocation of Licenses; Terms of Licenses:**—To authorize the granting of licenses for any lawful purpose, and to fix by ordinance the amount to be paid therefor, and to provide for the revoking of the same; Provided, That no license shall be granted to continue for a longer period than one year from the date thereof.

Thirty-fourth. **Regulation of Offensive Occupations:**—To regulate the carrying on within the corporate limits of the city of occupations which are of such nature as to affect the public health or good order of the city, or to disturb the public peace, and which are not prohibited by law, and to provide for the punishment of all persons violating such regulations and of all persons who knowingly permit the same to be violated in any building or upon any premises owned or controlled by them.

Thirty-fifth. **Punishment of Disorderly Persons:**—To restrain and provide for the punishment of vagrants, mendicants, prostitutes and other disorderly persons.

Thirty-sixth. **Preservation of Public Morality, Health, Peace and Good Order:**—To provide for the punishment of all disorderly conduct and of all practices dangerous to public safety or health, and to make all regulations necessary for the preservation of public morality, health, peace and good order within its limits, and to provide for the arrest, trial and punishment of all persons violating any ordinance of the city; but such punishment shall in no case exceed the punishment provided by the laws of the State of Washington for misdemeanors.

Thirty-seventh. *(As amended March 5, 1912, superseding amendment of March 6, 1906.)* **Extension and Establishment of Streets Over Tide Lands, and Excavation and Use Thereof as Public Slips:**—To project or extend

or establish streets over and across any tide lands within the corporate limits of the city and along or across the harbor areas of the city, in such manner as will best promote the interests of commerce, and to excavate and improve, for use as public slips or wharves, any of said streets, and to use all or any portion of every street extending to or projecting into the water as a public slip or wharf.

Thirty-eighth. Regulation of Domestic Animals and the Keeping of Dogs:—To restrain or prevent domestic or other animals from running at large; and to license, tax, regulate and restrain the keeping of dogs within the city limits, and to authorize the distraining, impounding and sale of said domestic and other animals for the penalty incurred and costs of proceeding, and to authorize the destruction of dogs impounded for want of license.

Thirty-ninth. Regulation of Boilers and Electrical Appliances:—To regulate and prohibit the location and use of any steam boiler or boilers or electric plant or steam pipes or electric wires or any kind of power generator or power reservoir or plant, or conduits now known or hereafter to be invented.

Fortieth. Establishment and Abrogation of Offices:—To ordain, establish, modify and abrogate from time to time, as the needs of the city shall require, all proper offices and bureaus, subordinate and auxiliary to the departments and heads thereof constituted by this charter, and to provide for the conduct and government of such offices and bureaus, and the appointment, removal, duties and compensation of officers and bureaus, and the appointment, removal, duties and compensation of officers to fill the same, except as in this charter otherwise provided.

Forty-first. Amendment and Repeal of Ordinances:—To alter, amend and repeal any ordinance or ordinances or parts thereof of the city. (*See Sec. 1, Art. IV.*)

Forty-second. Execution of Vested Powers:—To make all rules and regulations necessary or proper to carry into execution all powers vested by this charter, or by law, in the city, or in any department or officer thereof, except as in this charter otherwise provided.

Forty-third. (*As adopted March 3, 1908.*) Planting of Trees:—The city council may order the planting of shade or ornamental trees on or along each or either side of the streets of the city, and may provide for defraying the whole or any portion of the cost and expense thereof by the collection of special assessments upon the property specially benefited thereby, in the same manner as is provided for other improvements of streets, alleys, lanes, squares or public places of the city, under this charter and the laws of the State of Washington.

Sec. 19. General Legislative Powers of Council:—The city council shall, in addition to the powers enumerated in the last foregoing section, have all other powers usually exercised by the legislative bodies of municipal corporations of like character and degree with the City of Seattle, and all powers which now are or may hereafter be conferred upon incorporated towns and cities by the laws of this state.

Sec. 20. Franchises, How Granted, Repealed, Amended or Modified:—Every grant of a franchise, right or privilege shall be subject to the right of the city council, or the people of the city acting for themselves by the initiative and referendum, at any time subsequent to the grant, to repeal, amend or modify the said grant with due regard to the rights of the grantee and the interest of the public; and to cancel, forfeit and abrogate any such grant if the franchise granted thereby is not operated in full accordance with its provisions, or at all; and at any time during the grant to acquire, by purchase or condemnation, for the use of the city itself, all the property of the grantee within the limits of the public streets, at a fair and just value, which shall not include any valuation of the franchise itself, which shall thereupon terminate; and every ordinance making any such grant shall contain a reservation of these rights of the city council, and of the people of the city acting for themselves by the initiative and referendum, to so repeal, amend or modify said ordinance, and to so cancel, forfeit and abrogate the grant, and to so acquire the property of the grantee in the public streets, as hereinabove set forth. The city council shall not consider or grant any application for extension of the period of any franchise, nor any new franchise covering all or any substantial part of the rights or privileges of any existing franchise, until within three years of the expiration of the existing grant, and then only after submission to and approval by majority vote of the qualified electors.

Limitations and Methods of Granting Franchise:—The city council shall not grant authority to construct a street railway, or lay down street railway tracks along, upon, over or under any of the streets of the city, except in manner and on the terms following: Upon the application being made to the city council for authority to construct and operate a street railway along, upon, over or under any of said streets, the city council shall by resolution determine whether such franchise, or any part thereof, shall be granted, and after such determination shall cause notice of such application and resolution to be published for ten days in the city official newspaper, at the expense of the applicant. Such resolution and notice shall specify the route or routes over and along which it proposes to grant such franchise, the period for which it is proposed to be granted, and shall further specify all the terms and conditions thereof, including maximum rates of fare, by cash and tickets, the transfer regulations prescribed and the annual percentage of gross receipts required to be paid into the city treasury. If the application be made by, or directly or indirectly in behalf of the grantee, or owner of any existing street railway system, or the route or routes asked for are such as constitute a virtual extension or connection with any existing system, even though there be no apparent identity of ownership, or probable community of interest, in any such case the franchise shall be granted only for a term equal to the unexpired franchise of the existing system with which the new line is proposed to, or can be conveniently connected, and transfer arrangements shall be stipulated in the grant. Common user trackage facilities and appurtenances shall be required in all franchises on any route, to be made available for other franchise grantees

and for the city itself at any time during the grant, upon contribution of a fair proportion of the cost and maintenance expense, not including any franchise valuation allowance, and if the compensation for such common user can not be agreed voluntarily between respective grantees, or the city itself, it shall be fixed by arbitration, each party appointing one arbitrator, and if the two fail to agree, they shall appoint a third, and the result of such arbitration shall be binding upon the parties. It shall be the duty of the city council to incorporate in every such franchise efficient provisions for the compulsory arbitration of all disputes which may arise between the grantee or his successors or assigns, and his, its, or their employees, as to any matter of employment or wages. The proposed franchise shall further contain all other reservations and limitations set forth in this charter and the laws of the state.

Franchise Must be Advertised for Bid; How Awarded; Referendum Petition and Vote:—The proposed franchise shall thereupon be offered and advertised for bids to ascertain the person, company, or corporation who will accept, construct and operate under said franchise at the lowest rates of fare, to be substituted in lieu of the maximum rates set forth in the resolution. Bidding for the franchise shall be in accordance with provisions of this charter in relation to bids made to the board of public works, so far as such provisions may be applicable, and the city council may reject any and all bids and may refuse to grant a franchise for all or any part of the route for which application was made. Each bid must be accompanied by a certified check payable to the city comptroller for the sum of one thousand (\$1,000.00) dollars, and the amount of the check shall be forfeited and paid to the city in case the successful bidder shall fail to accept the franchise, and upon acceptance, the sum so paid shall be credited to the grantee on account of percentages. The city council shall consider the bids, and with due regard to cash and ticket fares, transfer regulations and connections, shall decide and designate the bidder whose proposal offers the lowest fares to the people, not exceeding the maximum rates named in the resolution. Thereupon, if the proposed franchise be for any new system, or includes any business thoroughfares or any trunk line or canyon route upon which no tracks have been laid under any previous franchise, then the said franchise shall be submitted to the vote of the qualified electors at the next ensuing general municipal election for their ratification or rejection. If the designated best bidder shall offer and provide the expense of a special election, the city council may authorize the vote to be taken at a special election. If the proposed franchise be for an extension of an existing system in a residence district and does not include any trunk line or canyon route, the franchise shall not be submitted to referendum unless the city council shall so direct, or a referendum petition signed by a number of qualified voters equal to not less than eight (8) per cent of the total vote cast for the office of mayor at the last preceding municipal election, be filed with the city comptroller, within thirty (30) days after the official publication of the designation of the best bidder for the proposed franchise, and during said period of thirty (30) days the franchise shall be in abeyance. If no referendum petition be filed, the city council may finally pass the ordinance and grant the franchise.

subject to action by the mayor as in the case of other ordinances. If a referendum petition be filed the franchise shall be submitted to vote of the qualified electors at the next general election, or at a special election, if the proposed grantee shall offer and provide the expense thereof, and the city council shall authorize the same. Official publication, notices of election, conduct and manner of elections, preparation of official ballots, counting and canvassing of votes, and certifying of returns of any election on the granting of a franchise shall be done substantially as is provided for the submission to vote of the people on amendments to the city charter. If the proposed franchise ordinance receives in its favor a majority of all the votes cast for and against the same, it shall be deemed to be ratified, and the city council may thereupon finally pass and adopt the same. If it fail to receive said majority in its favor, the franchise ordinance shall be deemed rejected and no further proceedings shall be had thereunder. The same methods of procedure shall obtain in the extension of any existing franchises, or any rights thereunder, as in the grant of a new franchise. No street railway franchise shall in any event be granted, extended or renewed to any date beyond December 31st, 1934.

Minority of Council May Invoke Referendum Vote:—A minority of the city council, including not less than one-third of all the members elected, shall have the right and power to invoke a referendum vote on a franchise ordinance without the filing of any petition therefor.

Repealing Clause:—The provisions of Section 23, Article IV. of the Charter, being in conflict with the provisions of this section, are hereby superseded. (*As amended March 3, 1908. Cf. Am. 1906.*)

Sec. 21. Wharf Franchises, How Granted; Conditions:—The city council shall not grant any franchise for the construction of any wharf into any bay, lake or other body of water, except in the manner following, that is to say: In addition to the requirements under the general laws, each and every ordinance granting such franchise must receive the vote of at least two-thirds of all the members elected, and shall provide that work shall commence within six months and be prosecuted continuously and shall be completed within one year thereafter. Said time shall not be extended for any cause, and unless so completed the franchise shall be forfeited.

Sec. 22. Exclusive Franchises Prohibited:—No exclusive franchise or privilege shall be granted for the use of any street, alley or highway or other public place or any part thereof.

Sec. 23. (*Superseded by Amendment to Sec. 20, supra.*)

Sec. 24. Appropriations for Certain Purposes Prohibited:—The city council shall make no appropriation in aid of any corporation, person or society, unless expressly authorized by this charter or the laws of the state.

Sec. 25. Temporary Loans:—The city council, after the taxes have been levied in any year, shall have power to make temporary loans in anticipation of the collection of such taxes, such loans to be applied to

the purposes for which such taxes have been levied and to no other purpose, and such taxes shall be inviolably applied to pay such loans.

Sec. 26. Bonded Indebtedness, How Created; Payment of Interest; Sinking Fund; Funding Bonds:—When loans shall be created exceeding one and a half percentum of the taxable property in the city, and bonds therefor issued by the city under this charter, the city council in authorizing and providing for the same shall direct the times and manner of payment and rates of interest, but no such bonds shall be issued except as provided by law, nor unless the proposition for creating such indebtedness shall have been previously submitted to the electors of the city at a regular, general or special election, of which thirty days' notice shall have been published in the city official newspaper, and such proposition shall have then received the assent of three-fifths of the voters voting at such election. The mode and manner of submitting such proposition to the voters shall be prescribed by ordinance. And in case such three-fifths of the voters are in favor of such loan the city council may, after such election, by ordinance confirm the loan; but no bonds shall be issued therefor until after such confirmation, nor until the city council shall have made specific provision for payment annually of interest on such bonds and for a fund to pay the interest on such bonds and a sinking fund to be raised by annual tax at least five years before the bonds are due, sufficient to pay and discharge such bonds at maturity, and the faith of the city shall be and is hereby pledged for the final payment of any and all such loans. The city council may refund any funded indebtedness at such times and upon such terms as they may see fit; Provided, That the rate of interest upon such refunded bonds shall never exceed that of the bonds to pay which they were issued.

Sec. 27. Ordinances Creating Debt to Specify Amount and Object:—No debt or obligation of any kind against the city shall be created by the city council except by ordinance specifying the amount and object of such expenditure.

Sec. 28. Allowance or Payment of Invalid Claims Prohibited:—Neither the city council nor any officer, board, department or authority shall allow, make valid or in any manner recognize any demand against the city which was not at the time of its creation a valid claim against the same, nor shall they or any of them ever allow or authorize to be paid any demand which, without such action, would be invalid, or which shall then be barred by any statutes of limitation, or for which the city was never liable, and any such action shall be void.

Sec. 29. Claims for Damages, When and How Presented:—All claims for damages against the city must be presented to the city council and filed with the clerk within thirty days after the time when such claim for damages accrued, and no ordinance shall be passed allowing any such claim or any part thereof, or appropriating money or other property to pay or satisfy the same or any part thereof, until such claim has first been referred to the proper department, nor until such department has made its report to the city council thereon, pursuant to such reference. All such claims for damages must accurately locate and describe

the defect that caused the injury, accurately describe the injury, give the residence for one year last past of claimant, contain the items of damages claimed, and be sworn to by the claimant. No action shall be maintained against the city for any claim for damages until the same has been presented to the city council and sixty days have elapsed after such presentation. (*As amended March 8, 1904. Cf. Am. 1902.*)

Sec. 30. Ordinances Must Provide Penalties for Violations:—The city council shall in every ordinance prohibiting or requiring any act or omission, impose a penalty for the violation thereof or non-compliance therewith.

Sec. 31. City Official Newspaper, How Designated:—A daily newspaper of general circulation and published in the city, to be styled "City Official Newspaper," shall be designated in the following manner: The board of public works shall on the first Monday in August in each year, cause to be published for ten (10) consecutive days, excluding Sundays, in the city official newspaper, a call to the owners and managers of newspapers for sealed proposals to do the city printing for the then next ensuing fiscal year, each of which proposals shall be accompanied by a certified check upon some bank in the city in the sum of two thousand five hundred (\$2,500) dollars, payable to the order of the city treasurer, and shall with such certified check be delivered to the secretary of the board of public works sealed up in an envelope, indorsed "Sealed proposal and check for city printing," on or before the twentieth (20th) day next after the first publication of such call, and shall be indorsed by such secretary of the board of public works at the time of such delivery, with the date of his reception thereof, and shall be first opened by the board of public works as early as may be at its next regular session thereafter, and thereupon the board of public works shall announce the names of all parties whose proposals have been offered, and the terms of their proposals respectively, and designate as city official newspaper that paper whose manager or owner has offered the lowest bid, with certified check as aforesaid, and such newspaper, upon complying with the requirements hereof, shall at the beginning of the then next ensuing fiscal year, and during said years, be such city official newspaper; Provided, however, if in the opinion of said board all bids are too high, said board may, without any hearing thereon, reject all bids and shall within five (5) days readvertise. Within five (5) days from the day on which the board shall have designated the city official newspaper, such newspaper shall present to and file with the city clerk a contract and agreement duly executed by its owner or owners or proper officer or officers, approved by the corporation counsel, to the effect that in consideration of the awarding to it of the city printing for the then next ensuing fiscal year, it promises and agrees during the whole of said fiscal year, for the sum or sums named in its proposal, to well, seasonably and faithfully, accurately print and publish, according to law, all and singular the matters and things required by law to be published in the city official newspaper of the City of Seattle, which contract and agreement shall be accompanied by a bond of an approved surety company authorized to do business in and under the laws of the State of

Washington, in the sum of five thousand (\$5,000) dollars, running to the City of Seattle, approved by the comptroller and corporation counsel, conditioned that said newspaper and its owner or owners will do and perform each and every of the things required to be set forth in said contract and agreement; Provided, That whenever from any cause a city official newspaper shall be lacking, the mayor shall designate and employ a like newspaper to serve as such until designation and qualification is made and had as above directed under like contract and bond (except as to price), for reasonable compensation, to be audited by the auditing committee. Certified checks accompanying unsuccessful proposals shall be returned to the proposers. The certified check accompanying the successful proposal shall be returned to such proposer upon the filing within the time and in the manner designated of the contract and bond required. If the successful proposer or newspaper designated as city official newspaper, for any reason fail, neglect or refuse to properly execute and file the contract and bond required within the time and in the manner designated, the certified check accompanying his or its proposals shall immediately become forfeited, and be and become the property and money of the City of Seattle. All ordinances, resolutions, notices, tax and assessment sales, and all other proceedings, statements, matters and things of the mayor, city council or any department or board or other officer or functionary of the city, which by this charter are or shall be required to be published, except the statement prescribed in section 32 of this article, shall be published in the city official newspaper, but not for more than three consecutive issues, except as otherwise in this charter provided. (*As amended March 3, 1908. Cf. Am. 1904.*)

Sec. 32. Publication of Biennial Statements of Revenue and Expense:—The city council shall biennially and not less than twenty (20) nor more than sixty (60) days before the biennial election, cause to be printed in pamphlet form for distribution to citizens applying therefor, a full and intelligible statement of all the revenue and expense of every description for the two (2) preceding fiscal years, ending on the thirty-first day of December next preceding such statement, including all the moneys which have passed through the hands of the treasurer for any purpose whatever, together with the different sources of city revenue, the amount received from each, the several appropriations made by the city council, the objects for which the same were made and the sums expended for each, and any money borrowed upon the credit of the city, whether by temporary loans or by the issue of bonds, the terms upon which it was obtained, the authority under which it was borrowed, and the purpose to which it was applied, and how much of the same or other city indebtedness has been repaid and by what means. The statement shall also include a detailed account of city property, personal and real, its estimated value, and, if rented, to whom and on what terms, and of existing debts of every description, and of the condition of the sinking funds, if any, with all other information necessary for a full understanding of the financial concerns of the city. Not more than two thousand copies of any such pamphlet shall be printed. (*As amended March 3, 1908.*)

Sec. 33. **Ordinances Continued in Force:**—All ordinances in force in the city at the date of the adoption of this charter, and not inconsistent therewith, shall remain in force until repealed or until they expire by limitation.

ARTICLE V.

THE EXECUTIVE DEPARTMENT.

Section 1. **Qualifications of Mayor:**—The chief executive officer of the city shall be a mayor. He shall be at least thirty years of age, a citizen of the United States and of the State of Washington, and a qualified elector of the City of Seattle at the time of his election, and shall have been a citizen and taxpayer of the city for at least four years before the day of his election.

Sec. 2. **Power and Duties of Mayor:**—The mayor shall see that all the laws and ordinances in force in the city are faithfully executed, and shall direct and control all subordinate officers of the city, except in so far as such direction and control is by the provisions of this charter reposed in some other officer or board, and shall maintain peace and good order in the city. He shall have power at all times, in any emergency, of which he shall be the judge, to assume command of the whole or any part of the police force of the city. In case of riot, tumult, or violent disturbance of the public order, the mayor shall have, as the exigency in his judgment may require, the right to assume control for the time being of the police force, but before assuming such control he shall issue his proclamation to that effect, and it shall be the duty of the chief of police to execute orders promulgated by him for the suppression of such tumult and the restoration of order.

Sec. 3. **Male Inhabitants to Aid in Enforcing Law; May be Punished for Refusal or Neglect:**—The mayor is empowered to call on every male inhabitant of the city over the age of eighteen years to aid in enforcing the laws and ordinances in force in the city, in preventing and extinguishing fires, and in preserving the peace and safety of the city. The city council shall have power to enact an ordinance or ordinances providing for the punishment of any such person as the mayor has a right to call upon as aforesaid, for wilfully refusing or neglecting to obey any such order or call.

Sec. 4. **Mayor With Consent of Council to Appoint Officers:**—In the absence of any express provision in this charter as to the manner of electing or appointing any officer, the mayor shall nominate, and with the consent of the city council, appoint such officer as is provided for herein and any ordinance enacted in pursuance thereof.

Sec. 5. **If Appointment Not Confirmed Mayor May Nominate Another; Council to Elect if Mayor Fails to Nominate:**—If the city council shall refuse to confirm any nomination of the mayor, then he shall within ten days thereafter nominate another person to fill the office, and he may continue to nominate until his nominee is confirmed. If the mayor fails to make another nomination within ten days from the rejection of a nomination for the same office, then the city council shall elect a suitable person to fill the office during the term.

Sec. 6. Vacancies Occasioned by Removal, How Filed:—Whenever the mayor shall remove an appointive officer, the vacancy for the unexpired term shall be filled by appointment in the same manner as if at the beginning of the term, except as otherwise provided in this charter.

Sec. 7. Mayor's Annual Message to Council; Special Messages:—It shall be the duty of the mayor annually at the first meeting after the commencement of the fiscal year to communicate by message to the city council a statement of the condition and affairs of the city, and to recommend the adoption of such measures as he may deem expedient and proper; and he shall, further, have the right to make special communications to the city council from time to time as he may deem useful and proper.

Sec. 8. Mayor to Enforce Contracts; Officers to Report Violations of Contracts to Mayor:—The mayor shall see that all contracts and agreements made with the city or for its use and benefit are faithfully kept and performed and to this end he shall cause any legal or equitable proceedings to be instituted and prosecuted against all persons or corporations failing to fulfill their agreements with the city. And it is the duty of every officer of the city, when it shall come to his knowledge that any contract with the city relating to the business of any office has been violated by the other contracting party, forthwith to report the fact to the mayor.

Sec. 9. Mayor to Approve Bonds; Bonds, Where Filed:—The mayor shall, unless in this charter otherwise provided, take and approve all official undertakings or bonds which may be required of any officer, employe or agent of the city as security for the faithful performance of his duty; and he shall also, except as otherwise provided in this charter, take and approve any such bond or undertaking as may be required of any contractor for the faithful performance of his contract; and when he approves any bond or undertaking he must immediately file the same with the city clerk, except the bond of the city comptroller, which shall be kept by the mayor.

Sec. 10. General Powers and Duties of Mayor:—The mayor shall perform such other duties and exercise such other authority as may be prescribed by any law of the United States or of the State of Washington, or by this charter or any ordinance of the city.

Sec. 11. Absence or Incapacity of Mayor:—In case of the absence of the mayor from the city, or if he from any cause be incapacitated from acting, the president, or in case of his disability or absence, the acting president of the city council shall act as mayor, and for the time being enjoy all his powers.

Sec. 12. Removal of Mayor From Office:—The mayor may be removed from his office for any willful violation of his duty during his term of office, or for the commission of a crime or misdemeanor involving moral turpitude, but only upon notice thereof, together with a copy of the charges against him, given to him at least five days before

the hearing, and an opportunity to be present in person and with his counsel, and offer evidence in his own behalf and to be heard by himself and counsel, and then only upon the affirmative vote of two-thirds of the members of the city council when assembled as a court of impeachment, and for that purpose the city council shall have the same power that it would have in trying any other officer.

Sec. 13. Advisory Board, Meetings, Duties and Record of Proceedings:—There is hereby constituted a body to consist of the mayor, president of the city council, corporation counsel, the chairman of the board of public works, city comptroller and the city treasurer, to be called the advisory board. The mayor shall, once in each quarter, and as much oftener as the interests of the city appear to him to require, call a meeting of such advisory board. Such meetings shall be for the purpose of comparing views and consulting together with regard to the affairs of the city, and shall have the power to make recommendations and suggestions to the city council and to the various other departments of the city government. The mayor shall preside at all meetings of the advisory board, and the city comptroller or his deputy shall act as clerk thereof. All proceedings of the advisory board shall be kept on record in the office of the city comptroller.

ARTICLE VI.

CLERICAL DEPARTMENT.

Section 1. Comptroller ex-officio Clerk:—The city comptroller shall be ex-officio city clerk, and his deputies as comptroller shall be his deputies as city clerk.

Sec. 2. Duties of City Clerk:—As city clerk, he, or a deputy, shall attend all meetings of the city council and keep full and complete record of the proceedings thereof; and he shall have the custody of the city seal, the public records, except such as are intrusted, by the provisions of this charter, to other officers, the original rolls of ordinances, the original contracts, deeds and certificates relative to the title of any property of the city, all official, indemnity or security bonds, except his own bond, and such other records, papers and documents of value as are not required to be deposited with any other officer, and he shall attest all public instruments and official acts of the mayor by his signature and the city seal, and shall also certify under his hand and the seal of the city all copies of such original documents, records and papers in his office as may be required by any officer or person, and charge therefor such fees for the use of the city as are or may be provided by ordinance; and he shall perform such other duties as may be in this charter prescribed, and also such as the city council may direct consistent with this charter.

ARTICLE VII.

DEPARTMENT OF POLICE.

Section 1. Organization of Police Department; Mayor May Appoint Emergency Policemen:—There shall be a police department,

which shall consist of a chief of police and as many subordinate officers, detective officers and regular and special policemen as the city council shall from time to time by ordinance prescribe; Provided, That the mayor may, when the public safety requires it in case of emergency, to be by him determined, appoint any number of emergency policemen who shall discharge their duties and hold their positions at the pleasure of the mayor until the conclusion of the meeting of the city council held next after such appointment and not longer, except by consent of the council. (*As amended March 8, 1910.*)

Sec. 2. Chief of Police, Appointment and Removal of; Subordinate Officers, How Appointed:—The mayor shall appoint the chief of police and may remove him in his discretion upon filing a statement in writing of his reasons therefor with the secretary of the civil service commission. The city council may remove the chief of police for cause in the same manner as is provided in this charter for the removal by the city council of elective officers. All subordinate police officers, detectives and regular policemen shall be appointed by the chief of police under said civil service rules, except as otherwise in section 1 of this article provided. In case the chief of police shall be appointed from the classified civil service and shall not be removed for cause, he shall, upon retirement from the office of chief of police, resume his former position in the classified civil service; and the last appointee to the position from which said chief was appointed and the last appointees in positions subordinate thereto, shall resume their former positions, respectively, in the classified civil service. (*As amended March 5, 1912. Cf. Am. 1911.*)

Sec. 3. Chief to Manage Police Department:—The police department shall be under the management of the chief of police, except as otherwise provided by law or in this charter.

Sec. 4. Mayor to Prescribe and Enforce Rules for Police Department:—The mayor shall prescribe rules and regulations, not inconsistent with law and the ordinances of the city, for the government and control of the police department, and fix and enforce penalties for their violation.

Sec. 5. Annual Report of Chief of Police:—The chief of police shall annually, or oftener if required by the mayor or city council, make a report to the mayor and city council of any municipal legislation by him deemed necessary to improve the condition of the police force and the administration of the police department. His annual report shall show fully the business and condition of the police department, the number of arrests made during the year, the causes thereof, together with other general and special information as to the peace and good order of the city. He shall also submit an estimate of the amount of money that will be required to pay salaries and expenses for the police department for the ensuing fiscal year, specifying in detail for what each sum will be required.

Sec. 6. First. Process Directed to Chief of Police; Chief to Control Police Force, Maintain Peace, Keep City Prison:—The chief of police shall be the chief peace officer of the city, and all process issued by

the police judge of the city, or by any justice of the peace in the city, under authority of this charter or any ordinance of the city, and to which the city is a party, shall be directed to him for service, and may be served and returned by the chief of police or any police officer or regular or special policeman. The chief of police shall exercise vigilant control over the police force, and maintain the peace and quiet of the city. He shall be the keeper of the city prison. He shall have in the discharge of his duties like powers and be subject to like responsibilities as the sheriff of King county in similar cases, and shall perform such other duties and have such other powers as may be imposed on or granted to him by this charter or by ordinance of the city.

Second. Powers of Policemen in Making Arrests; Police Records:—The chief of police or any police officer or any regular or special policeman shall make arrests with warrant for any crime or violation of the laws of the state or any ordinance of the city, committed within the city, and shall make arrests without warrant in such cases as shall be prescribed by ordinance, but not otherwise; Provided, That until the city council prescribe such cases all arrests may be made without warrant. The chief of police shall keep a correct record of all arrests made by him or other members of the police force, showing the time and cause of complaint upon which each arrest was made, with a list and description of all property and money taken from each person, with a statement of the disposition made of the same, and make a full report thereof in writing each month to the mayor.

Third. Chief Responsible for Property Taken:—The chief of police shall be responsible for all property and money taken from any person, and shall be liable therefor on his official bond, and any person may recover for loss of any such property or money in an action brought for that purpose.

Fourth. Duties of Policemen Prescribed by Ordinances and Rules:—The duties of the other police officers and regular and special policemen and detective officers shall be such as may be provided from time to time by ordinance or by rules established by the mayor, in addition to the duties hereinbefore prescribed.

Fifth. Policemen Not to Engage in Other Calling. Become Bail or Receive Pay While Absent:—No member of the police force shall engage in any other profession or calling, or become bail for any person charged with any offense whatever, or recommend to persons charged with crime the employment of any particular attorney. No member of the police force shall be allowed pay for any period during which he may have been absent from duty, except as otherwise provided in this charter.

Sec. 7. Salary of Policemen; No Compensation Except Salary:—Each member of the police force shall receive a salary to be fixed by ordinance, which shall not be increased or diminished within one year after his appointment. No member of the police force shall receive any fees or any compensation whatever, directly or indirectly, from the city, county or state, for any services rendered or act done, while a member of such police force, other than the salary above provided for, except witness fees in the superior court.

Sec. 8. Record and Report of Conduct of Policemen:—The chief of police shall keep a record of the conduct of men in the department, and send a copy thereof monthly to the secretary of the civil service commission, keeping said record in accordance with the rules of and upon forms supplied by said commission.

ARTICLE VIII.

DEPARTMENT OF PUBLIC WORKS.

Section 1. What Shall Consist of; Chairman Shall be Appointed Annually:—There shall be, and is hereby created, a board of public works which shall consist of six (6) members, to-wit: (1) The city engineer; (2) the superintendent of streets and sewers; (3) the superintendent of waterworks; (4) the superintendent of lighting; (5) the superintendent of buildings; (6) the superintendent of public utilities.

Chairman Shall be Appointed Annually:—The chairman of said board shall be appointed annually by the mayor. The members of the board, as such, shall receive no compensation. (*As amended March 8, 1910. Cf. Am. 1908.*)

Sec. 2. Chairman to Attend and May Address Council:—It shall be the duty of the chairman of the board of public works to attend all regular meetings of the city council, and such other meetings as the city council may direct. He shall have the right to speak upon any measure pertaining to his department, but shall have no vote.

Sec. 3. Appointment and Duties of Secretary:—The board shall appoint a clerk, whose appointment and tenure of office shall be subject to the provisions of Article XVI. of this charter, and who shall be styled "secretary of the board of public works." He shall keep his office at the place where the meetings of the board are held, which shall be kept open during business hours, and at such other hours as the board may direct. He shall keep a complete record of all the proceedings of the board in a book kept for such purpose, and shall file and preserve all papers committed to his charge, and shall perform such other duties as the board may direct.

Sec. 4. Regular Meetings; Quorum:—The board shall hold regular meetings once each week, and special meetings at such time as it may appoint, or the chairman may call. All meetings shall be public and shall be held at a place which shall be provided by the city council. A majority of all the members of the board shall constitute a quorum and an affirmative vote of a majority of all the members of the board shall be necessary to adopt any motion, order or resolution, or to make any appointment. (*As amended March 8, 1910.*)

Sec. 5. Powers and Duties of Board:—The board is hereby authorized and empowered, and it is hereby made its duty, subject to the provisions of the city charter, and saving to the city council such powers as are given to it in this charter:

First. **To Make Rules:**—To make such rules and regulations as shall be deemed necessary for its government and the government and control of all persons in the employ of its several departments.

Second: **To Certify Bills and Allow Claims:**—To certify all bills and allowances and claims due to contractors of public works, and officers, and persons in the employ of the board of its several departments.

Third. **To Manage Water System:**—To take charge of, superintend, manage and control the water system, water works, mains, pumps, pipes, reservoirs, and all matters and things connected therewith, and to manage, direct and control the building, operating and repair thereof by the city, and to cause the rates charged consumers of water by the city to be paid into the treasury of the city.

Fourth. **To Manage, Building and Repair Sewers and Make Sewer Connections Required by Board of Health:**—To have the management, control, building and repairing of the sewers of the city and all connections therewith. It shall cause to be made and cause to be repaired such sewer connections as the board of health shall certify to it to be necessary for proper sanitation.

Fifth. **To Control Wharves, Etc., Owned by City:**—To have the control, management, building, repairing and the direction of all wharves, docks, bridges, viaducts, landings, slips, boats and other structures which shall be building or owned by the city.

Sixth. **To Manage and Construct City Buildings and Structures:**—To have the management, control and construction of all public buildings or other structures owned or constructed by the city, except as otherwise provided by this charter.

Seventh. **To Superintend and Manage Public Grounds:**—To have the superintendence and management of all public grounds of the city, and the ornamentation and improvement of the same, except as otherwise provided in this charter.

Eighth. **To Manage and Control Streets:**—To have the management and control of all the public streets and alleys in the city, including all streets and alleys dedicated to public use, and the superintendence of grading, paving, planking and cleaning the same, and of the building and reconstruction of sidewalks and gutters therein, and of the removal of garbage therefrom, and of making other improvements therein.

Ninth. **To Superintend Public Places Not Enumerated:**—To have the superintendence of all public places, structures and works within the city not above enumerated, except as otherwise provided in this charter.

Tenth. **To Regulate Public Utilities in Streets:**—To command, regulate, control and direct the erection and removal of poles in streets for telegraph, telephone and electric wires for electric lights and motors; to fix the place of location and to control and direct the laying down of street railway tracks and turntables, and require all companies building

and operating such roads to conform to the street grades in all streets wherein the same are operated; to fix and regulate the places and manner of laying down and taking up all motor, gas, steam, sewer and other pipes in the streets and other public places in the city.

Eleventh. To Manage City Lighting Plant:—To have the superintendence, control and management of such building or buildings, plants and other apparatus as may be owned, constructed or controlled by the city for the purpose of furnishing light or power to the city and its inhabitants, or other consumers, and to locate and distribute the lights under any and all systems of lighting the city.

Twelfth. To Perform Duties and Exercise Powers Prescribed by Ordinance:—To perform such other and further duties and exercise such other and further powers not inconsistent with this charter, as may be prescribed by ordinance.

Sec. 6. Board, What Officers Shall Constitute:—There shall be a city engineer, a superintendent of streets and sewers, a superintendent of water works, a superintendent of lighting, a superintendent of buildings and a superintendent of public utilities, each of whom shall be appointed by the mayor, by and with the advice and consent of the city council, for the term, except as herein otherwise provided, of three years. (*As amended March 8, 1910. Cf. Am. 1908.*)

Sec. 7. First. City Engineer, Qualifications of; to Make Surveys, Plans and Reports and Superintend Construction of Public Works:—The city engineer must be a civil engineer. It shall be his duty to make such surveys, maps, profiles, plans, specifications, estimates and reports as shall be required by the city; and under the direction of the board, to lay out, direct and supervise the construction of all public works within the city, or on property belonging to, or controlled by the city, that may from time to time be ordered by the city council.

Second. To Superintend Buildings, Bridges and Wharves, Be Inspector of Buildings, Enforce Ordinances and Regulations, Employ Labor and Perform Duties Prescribed by Ordinance or Board:—The city engineer shall, under the direction of the board, superintend and have the management and control of bridges, wharves and public buildings of the city and of the construction and repair thereof. He shall be inspector of buildings. It shall be his duty to see that the ordinances and the rules and regulations established by the board of public works, relating to his department, are enforced. He shall under civil service rules have control of the employment of all labor, skilled or other, in his department. He shall have such other and additional powers as the city council may by ordinance grant, and he shall perform such other duties as the city council or board of public works may from time to time prescribe or direct.

Third. To File and Have Custody of Plans, Etc., of Public Improvements:—All plans, specifications, maps and estimates made by the city engineer for public improvements shall be filed in his office and be open to public inspection, but no plan, specification, map or estimate made by

him or under his direction, for the use of the city, shall be removed from his office, and any person found having any such document unlawfully in his possession, shall be deemed guilty of a misdemeanor, for which the city council shall by ordinance prescribe the proper penalties.

Fourth. Appointment and Term of First City Engineer:—At the first meeting of the city council created by this charter the mayor shall appoint a city engineer, whose term of office shall expire December 31, 1896.

Sec. 7. (a). Superintendent of Public Utilities; To Enforce Franchise Ordinances; Appointment of; Term of Office:—There shall be a superintendent of public utilities. He shall rigidly enforce the provisions of all franchise ordinances, and the rules and regulations of the board of public works relating to his department. He shall, so far as public necessity may demand, superintend all franchise construction which may be carried on in or across the streets of the City of Seattle. He shall from time to time present to the board of public works written recommendations as to such changes or betterments which should be required to be made in the equipment of franchise companies in order to secure the comfort and safety of the public. He shall keep an accurately indexed record of all franchise work showing the time of beginning and completion. He shall keep on file in his office a series of plats drawn to scale, showing the exact position that each public utility occupies in the streets, together with sectional maps, showing the depths at or to which the same may lie below the surface of the streets. It shall be his duty to carefully examine every application made for franchise construction in the City of Seattle and report his recommendation on each to the board of public works. In connection with the city council he shall consider every application made to the City of Seattle for a franchise and present his recommendations thereon in writing. He shall, under civil service rules, have control of the employment of all labor, skilled or other, in his department. He shall have such other additional powers as the city council may by ordinance grant, and he shall perform such other duties as the city council or board of public works may, from time to time, prescribe or direct. At the first meeting of the city council after the first day of April, 1908, the mayor shall appoint a superintendent of public utilities, whose term of office shall expire December 31, 1909. (*As adopted March 3, 1908.*)

Sec. 8. First. Superintendent of Streets, Sewers and Parks to Have Charge of Maintenance of Public Grounds, Superintend, Repair, Cleaning and Reconstruction of Streets, Sewers and Drains, Employ Laborers, Enforce Ordinances and Rules, Control Excavations in Streets and Have Powers and Duties as Prescribed by Ordinance:—The superintendent of streets, sewers and parks shall, under the direction of the city council, have charge of the maintenance of all city parks and public grounds, and shall, under the direction of the board, superintend the repairing, cleaning and reconstruction of the streets, gutters, sidewalks, sewers and drains in the city. He shall, under civil service rules, have control of the employment of all laborers in his department. It shall be his duty to see that the ordinances of the city and the rules and regu-

SECTION 9, ARTICLE VIII.

Section 9. (*As amended March 4, 1913.*) **Department of Water Works: To Enforce Ordinances, Contracts, etc.:**—In the department of public works there shall be a department of water works, the head of which shall be the superintendent of water works. He shall be appointed by the Mayor, by and with the advice and consent of the City Council, for a term, except as herein otherwise provided, of three years. He shall be a member of the board of public works. It shall be the duty of the superintendent of water works to rigidly enforce the provisions of all water contracts. He shall, subject to the control of the board of public works, have the management and control of the operation and maintenance of the water system of the city, including all buildings and grounds belonging to the water system, together with all lands and other property acquired for the water system for watershed or right of way purposes. He shall enforce all ordinances and the rules of the board relating to his department; he shall appoint under civil service rules, supervise and control all officers and employes of his department. He shall cause to be kept proper accounts with all consumers of water, and shall, every ninety (90) days, compile a statement of the names and property of such consumers as are delinquent, and shall forthwith cause the service of these consumers to be discontinued. The superintendent of water works shall have such further powers and perform such other duties as are provided by this charter, or shall be prescribed from time to time by the City Council or the board of public works.

Department of Lighting: To Enforce Ordinances, Contracts, etc.:—In the department of public works there shall be a department of lighting, the head of which shall be the superintendent of lighting. He shall be appointed by the mayor by and with the advice and consent of the City Council for a term, except as herein otherwise provided, of three years. He shall be a member of the board of public works. It shall be the duty of the superintendent of lighting to rigidly enforce the provisions of all lighting contracts; to recommend to the board changes, removals or installations of light, and, subject to the control of the board of public works, to take charge of and direct the operation and maintenance of the lighting or power plants of the city, including all buildings and grounds appertaining thereto. He shall enforce all ordinances and the rules of the board relating to his department. He shall appoint, under civil service rules, supervise and control all officers and employes in his department. He shall cause to be kept proper accounts with all consumers of light and power, and shall every ninety (90) days, compile a statement of the names and property of such consumers as are delinquent, and shall forthwith cause the service to these consumers to be discontinued. The superintendent of lighting shall have such further powers and shall perform such other duties as are provided by this charter, or shall be prescribed from time to time by the City Council or the board of public works.

SECTION 9, ARTICLE VIII.

City Treasurer Shall Collect Water and Lighting Bills:—The city treasurer shall collect the bills issued by the department of water works and the department of lighting, and shall report daily to the city comptroller the amounts collected. The receipts arising from the said respective departments shall be kept by the city treasurer in separate funds. The city comptroller shall, once each month, or oftener if required, present to the board of public works complete reports of the transactions of the department of water works, and of the department of lighting, including receipts from all sources and expenditures, together with separate statements showing the financial condition of each department. The City Council shall provide by ordinance all necessary regulations for the proper guidance of the city treasurer, superintendent of water works and superintendent of lighting, in relation to the collection and enforcement of light and power and water rates, and other charges.

Terms of Office of Superintendent of Lighting and Water Works:—The incumbent of the office of superintendent of lighting and water works, at the time of the taking effect of this section, shall continue in office as superintendent of water works until the 31st day of December, 1910; provided that nothing herein contained shall be construed to confer on such incumbent any right to continue in virtue of his original appointment as superintendent of lighting and water works. At the first meeting of the City Council after the first day of April, 1910, the mayor shall appoint a superintendent of lighting whose term of office shall expire December 31, 1911.

lations established by the board of public works, relating to his department, are enforced. He shall, under the direction of the board, have the control of all excavations and refilling of the same that are made in any public street for any purpose whatsoever. He shall have such further powers and duties as are provided in this charter, or as the city council may prescribe or direct.

Second. Appointment and Term of First Superintendent:—At the first meeting of the city council created by this charter, the mayor shall appoint a superintendent of streets, sewers and parks, whose term of office shall expire December 31, 1897.

Sec. 9. Department of Water Works; To Enforce Ordinances, Contracts, Etc.:—In the department of public works there shall be a department of water works, the head of which shall be the superintendent of water works. He shall be appointed by the mayor, by and with the advice and consent of the city council, for a term, except as herein otherwise provided, of three years. He shall be a member of the board of public works. It shall be the duty of the superintendent of water works to rigidly enforce the provisions of all water contracts. He shall, under the direction of the board of public works, have the management and control of the operation and maintenance of the water system of the city. He shall enforce all ordinances and the rules of the board relating to his department; he shall appoint, under civil service rules, supervise and control all officers and employes of his department. He shall cause to be kept proper accounts with all consumers of water, and shall, every ninety (90) days, compile a statement of the names and property of such consumers as are delinquent, and shall forthwith cause the service of these consumers to be discontinued. The superintendent of water works shall have such further powers and perform such other duties as are provided by this charter, or shall be prescribed from time to time by the city council or the board of public works.

Department of Lighting; To Enforce Ordinances, Contracts, Etc.:—In the department of public works there shall be a department of lighting, the head of which shall be the superintendent of lighting. He shall be appointed by the mayor by and with the advice and consent of the city council for a term, except as herein otherwise provided, of three years. He shall be a member of the board of public works. It shall be the duty of the superintendent of lighting to rigidly enforce the provisions of all lighting contracts; to recommend to the board changes, removals or installations of light, and, under the control of the board of public works, to take charge of and direct the operation and maintenance of the lighting or power plants of the city. He shall enforce all ordinances and the rules of the board relating to his department. He shall appoint, under civil service rules, supervise and control all officers and employes in his department. He shall cause to be kept proper accounts with all consumers of light and power, and shall, every ninety (90) days, compile a statement of the names and property of such consumers as are delinquent, and shall forthwith cause the service to these consumers to be discontinued. The superintendent of lighting shall

have such further powers and shall perform such other duties as are provided by this charter, or shall be prescribed from time to time by the city council or the board of public works.

City Treasurer Shall Collect Water and Lighting Bills:—The city treasurer shall collect the bills issued by the department of water works and the department of lighting, and shall report daily to the city comptroller the amounts collected. The receipts arising from the said respective departments shall be kept by the city treasurer in separate funds. The city comptroller shall, once each month, or oftener if required, present to the board of public works complete reports of the transactions of the department of water works, and of the department of lighting, including receipts from all sources and expenditures, together with separate statements showing the financial condition of each department. The city council shall provide by ordinance all necessary regulations for the proper guidance of the city treasurer, superintendent of water works, and superintendent of lighting, in relation to the collection and enforcement of light and power and water rates, and other charges.

Terms of Office of Superintendents of Lighting and Water Works:—The incumbent of the office of superintendent of lighting and water works, at the time of the taking effect of this section, shall continue in office as superintendent of water works until the 31st day of December, 1910; provided that nothing herein contained shall be construed to confer on such incumbent any right to continue in office that he would not have had by virtue of his original appointment as superintendent of lighting and water works. At the first meeting of the city council after the first day of April, 1910, the mayor shall appoint a superintendent of lighting, whose term of office shall expire December 31, 1911. (*As amended March 8, 1910. Cf. Am. 1908.*)

Sec. 9 (a). (*As adopted March 3, 1908.*) **Superintendent of Buildings: Qualifications: Duties:**—There shall be a superintendent of buildings, who shall also be a superintendent of public buildings and grounds. He shall be either a structural engineer, architect or builder. It shall be his duty to see that the building ordinances of the city and the rules and regulations established by the board of public works relating to his department are enforced. Under the direction of the board of public works, he shall have the management and control of the public buildings of the city, and of the lands belonging to the city, other than parks and library. He shall also have charge of the construction and maintenance of municipal buildings. He shall keep a list of all the property belonging to the city, and, under the direction of the board of public works, shall seek to obtain a reasonable revenue from all property, other than park and library property, not actually required for the city's use, and shall, through the board of public works, make a report to the city council quarterly, enumerating the city's property, and the use to which each piece is put, and the rentals derived therefrom. He shall, under civil service rules, have control of the employment of all labor, skilled or otherwise, in his department. He shall have such other additional powers as the city council may by ordinance

SECTION 9-A, ARTICLE VIII.

Section 9-a. (*As amended March 4, 1913.*) **Superintendent of Buildings; Qualifications; Duties:**—There shall be a superintendent of buildings who shall also be a superintendent of public buildings and grounds. He shall be either a structural engineer, architect or builder. It shall be his duty to see that the building ordinances of the city and the rules and regulations established by the board of public works relating to his department are enforced. Subject to the control of the board of public works, he shall have the management and control of the public buildings and lands belonging to the city, other than parks, library, lighting and water systems. He shall also have charge, subject to the control of the board of public works of the construction and maintenance of municipal buildings. He shall keep a list of all the property belonging to the city, and, under the direction of the board of public works, shall seek to obtain a reasonable revenue from all property, other than parks and library property, lighting and water systems, not actually required for the city's use, and shall, through the board of public works, make a report to the city council quarterly enumerating the city's property, and the use to which each piece is put, and the rentals derived therefrom. He shall, under civil service rules, have control of the employment of all labor, skilled or otherwise, in his department. He shall have such other additional powers as the City Council may by ordinance grant; and he shall perform such other duties as the City Council or the board of public works may from time to time prescribe or direct.

grant; and he shall perform such other duties as the city council or the board of public works may from time to time prescribe or direct.

Sec. 9 (b). (*As adopted March 3, 1908.*) **Board of Appeals; Membership, Appointment and Term of Office:**—That there shall be, and is hereby created and established, a board of appeals, which shall consist of three members, to be appointed as follows:

First. One person who shall be appointed by the mayor, and confirmed by the city council, and who shall hold office for three years from the date of his appointment.

Second. One competent architect who has practiced in Seattle not less than two years, who shall be appointed by the mayor, confirmed by the council. Such appointee shall hold office for a term of two years from the date of his appointment.

Third. One competent builder who has been engaged in that line of business for at least two years in Seattle, who shall be appointed by the mayor and confirmed by the city council. Such appointee shall hold office for a term of one year from the date of his appointment.

Fourth. The term of the several members of said board of appeals shall be three years each after the expiration of the first term.

Sec. 9 (c). (*As adopted March 3, 1908.*) **Board of Appeals; Duties of:**—The board of appeals shall hear and determine all appeals from the superintendent of buildings, except as to municipal buildings, and hear and determine such other matters with relation to construction and new methods and appliances as may be brought or come to its attention, and shall perform such other and further duties as may be required by the ordinances of the City of Seattle.

Sec. 9 (d). (*As adopted March 3, 1908.*) **Board of Appeals, Removal of Members:**—Any member of the board of appeals may be removed by the mayor for malfeasance in office, incapacity or neglect of duty.

Sec. 9 (e). (*As adopted March 3, 1908.*) **Board of Appeals, Disqualification of Members and Appointment of Substitutes:**—No member of said board of appeals shall sit in a case in which he is interested, and in case of such disqualification, or in the necessary absence of any member, the mayor shall appoint a substitute from the class to which the disqualified or absent member belongs.

Sec. 9 (f). (*As adopted March 3, 1908.*) **Board of Appeals, Salary and Compensation of Members of:**—Members of the board of appeals may be paid such salaries or compensation for their services as may be determined by the city council.

Sec. 9 (g). (*As adopted March 3, 1908.*) **Board of Appeals, Meetings of:**—The board of appeals shall meet once a month on stated days, or oftener, at the call of the chairman or notice of any special appeal.

Sec. 9 (h). (*As adopted March 3, 1908.*) **Board of Appeals, Appeals to:**—The city council shall, as soon as practicable, by ordinance pre-

scribe the method and manner of appeal from the superintendent of buildings to the board of appeals, and shall fix and prescribe the cost for appeal to be paid by the party appealing, and the disposition to be made of said cost on appeal upon the final hearing of the case.

Sec. 9 (i). (*As adopted March 3, 1908.*) **Board of Appeals, Recommendations by:**—The board of appeals shall recommend to the city council such new building ordinances or revisions of old ordinances as it may deem proper.

Sec. 10. **Contracts for Local Improvements; Subletting:**—All local improvements, the funds for the making of which are directly or indirectly to be derived, in whole or in part, from the assessments upon the property benefited thereby, and such improvements as the city council shall by ordinance prescribe, shall be made by contract, to be let to the lowest bidder therefor, under the management of the board of public works. It shall be made a condition of every such contract that it shall not be sublet unless for the furnishing of material; Provided, however, That the city council may, by a two-thirds vote, by ordinance provide otherwise as to any particular contract.

Sec. 11. Subdivision 1. (*As amended March 6, 1900.*) **Local Improvements at Expense of Property Benefited:**—Whenever the public interest or convenience may require, the city council is hereby authorized and empowered to order the whole or any part of the streets, lanes, alleys, squares or places of the city to be graded or regraded to the official grade, planked or replanked, paved or repaved, macadamized or remacadamized, graveled or regraveled, piled or repiled, capped or recapped, and to order sidewalks, sewers, manholes, culverts, bulkheads, retaining walls, water mains, curbing and cross walks to be constructed or repaired therein; and to order any and all work to be done which shall be necessary to complete the whole or any portion of the said streets, lanes, alleys, squares or places; and the city council may levy and collect an assessment upon all lots or parcels of land specially benefited by such improvements to defray the whole or any portion of the cost and expense thereof, which assessment shall become a first lien upon all property liable therefor, prior and superior to all other liens and encumbrances.

Subdivision 2. (*As amended March 6, 1906. Cf. Am. 1900.*) **Provision by General Ordinance; Proceedings Required:**—The city council shall by general ordinance provide the manner in which the aforesaid improvements may be made and prescribe all needful regulations for the exercise, by the city, of the power granted and contained in the foregoing subdivision of this section; Provided, That in all cases in which the whole or any portion of the cost and expense of any such improvement is to be defrayed by the collection of a special assessment upon the property specially benefited thereby, the following proceedings shall be taken, viz.:

Petition to Board of Public Works, Contents of, by Whom Signed:—There must be presented to the board of public works a written petition setting forth the street or streets, lane or lanes, alley or alleys, squares

SECTION 10, ARTICLE VIII.

Section 10. (*As amended March 4, 1913.*) **Improvements May Be Made by Contract or by Day Labor:**—All local improvements, the funds for the making of which are directly or indirectly to be derived, in whole or in part, from assessments upon the property benefited thereby, and such other improvements as the City Council shall by ordinance prescribe, may be made by contract to be let to the lowest bidder therefor, under the management of the board of public works, or in the discretion of said board the same or any part thereof, may be done under the management of said board by day labor, which board shall direct the purchase of materials and supplies necessary therefor.

Bids may be received for all or any part or division of any proposed contract and no contract shall be sublet except for the furnishing of material without the previous consent of the City Council.

Provided that in any case not in conflict with state law the council may by ordinance determine whether an improvement, or any part thereof, shall be made by contract or otherwise.

or places, or parts thereof to be improved, the nature of the improvement, the mode of payment and the fact that the signers are the owners of the property to be benefited by such improvement, to the aggregate amount of a majority of the special assessment to be levied therefor according to the transfer books in the office of the county auditor. If any such property stands in the name of a deceased person or any person for whom a guardian has been appointed, the signature of the executor, administrator or guardian, as the case may be, shall be equal to the signature of the owner of the property on such petition.

Board to Estimate Cost and Report to Council:—If the board of public works finds the facts set forth in said petition to be true, they shall cause an estimate of the cost and expense of such improvement to be made and transmit the same, together with all papers and information in their possession touching such improvement, with the estimated cost thereof, and their recommendations thereon, a description of the property which will be specially benefited thereby and a statement of the proportionate amount of the cost and expense of such improvement which shall be borne by such property, to the city council.

Authority of Council; When Cost Exceeds Fifty Per Cent. of Assessed Value:—The city council shall have full authority to consider all matters in relation to such proposed improvement, and may authorize the same by ordinance or refuse it in its discretion; provided, that unless the petition for said improvement shall be signed by three-fourths ($\frac{3}{4}$) of the property to be assessed therefor and specifies a greater percentage than fifty per cent., the city council or board of public works shall not have authority to further proceed in the matter of such improvement whenever the cost of any such work or improvement ordered to be done by the city council, and chargeable as a lien, under the provisions of this article, against the property specially benefited within such assessment district shall exceed fifty per cent. of the total assessed valuation of the lots or parcels of land contained in such assessment district as the same appears upon the last annual assessment roll, made for the levying of taxes for municipal purposes, in which case such improvement shall not be granted unless the same be so modified that the cost thereof shall not exceed such fifty per cent. of the aforesaid valuation.

Fifty Per Cent. Limit May be Exceeded, When:—Said limit of fifty per cent., however, may be extended when any improvement shall be petitioned for by the owners of three-fourths ($\frac{3}{4}$) of the property to be assessed for said proposed improvement, and when such petition specifies not to exceed a certain higher percentage.

Action of Council Final:—The action and decision of the city council as to all matters passed upon by it in relation to the rejection or the granting of such petition shall be final and conclusive.

Improvements Without Petition; Vote Required; Grading; Unanimous Vote:—The city council may order the whole or any part of the streets, lanes, alleys, squares or public places of the city to be graded, regraded, sidewalked, residewalked, planked or replanked, paved, repaved, macadamized, remacadamized, graveled, regreveled, piled, repiled,

capped, recapped, or may order any bulkhead, retaining wall, viaduct, tunnel, water main or sewer with manholes, catch basins and other proper connections, to be constructed or repaired therein, and may provide for defraying the whole or any portion of the cost and expense of any such improvement by the collection of a special assessment upon the property specially benefited thereby in the manner provided in this section without the presentation of any petition either to the board of public works or to the city council; Provided, That unless a petition as hereinbefore prescribed be presented, such improvement shall not be ordered except by ordinance passed by the affirmative vote of two-thirds of all the members of the city council, at a regular meeting, or at a meeting which is an adjournment of a regular meeting; Provided, No street shall be ordered graded without petition, except by unanimous vote of all members present;

Sewer Districts; Main Sewers. Cost of, How Levied:—and, Provided, That there may be established sewer or drainage districts in conformity to the requirements of the topography of the ground; and constructed in each of said districts a main or trunk sewer. Such district shall include real estate which can be conveniently sewered or drained into such main or trunk sewer, either directly or by means of sub-sewers, and which will be benefited thereby. There shall first be levied against the property immediately abutting and contiguous to such main or trunk sewer, and which can be conveniently sewered or drained into said main or trunk sewer, such amounts, in accordance with special benefits as would have been levied against such property in case there had been constructed, in the same place, a branch or sub-sewer for the service of that immediate neighborhood only; the remaining portion of the cost of said main or trunk sewer shall then be distributed and assessed equitably against all the land included in said sewer or drainage district in accordance with special benefits and in proportion to the area of the various lots, tracts or parcels of land therein.

Subdivision 3. (*As amended March 6, 1906. Cf. Am. 1900.*) **Local Improvement Districts; What to Contain; Subdivisions:**—Every ordinance ordering any improvement mentioned in this section shall establish a local improvement district to be called "Local Improvement District No. ———," which district shall embrace, as near as may be, all the property specially benefited by such improvement. Unless otherwise provided in such ordinance, such district shall be deemed to include all the property between the termini of said improvement, abutting upon, adjacent or proximate to the street, lane, alley, avenue, place or square proposed to be improved to a distance back from the marginal line thereof to the center line of the blocks facing thereon; Provided, That in case the distance back from the street shall be at least ninety (90) feet; and provided further, that in case of unplatted property, the distance back from the margin of the same, for purposes of assessment, shall be the same distance as that included in the assessment of the platted lands immediately adjacent thereto, and all property included within said limits of such local improvement district shall be considered and held to be the property specially benefited by

such local improvement, and shall be the property to be assessed to pay the cost and expense thereof, or such proportion thereof as may be chargeable against the property specially benefited by such improvement, and shall be the property to be assessed to pay the cost and expense thereof, or such proportion thereof as may be chargeable against the property specially benefited by such improvement, which cost and expense shall be assessed upon all of said property so benefited in proportion to the separate and special benefit conferred on such property by reason of its area and particular location within the district. Said local improvement district shall, for the purpose of assessing the cost of such improvement, in proportion to the separate and special benefits conferred, be divided into four subdivisions to be numbered respectively 1st, 2nd, 3rd and 4th subdivisions. The first subdivision shall include all lands lying between the street margin and a line drawn parallel therewith and thirty (30) feet therefrom. The second subdivision shall include all lands lying within lines drawn parallel with and thirty (30) and sixty (60) feet respectively from said street margin. The third subdivision shall include all lands lying within lines drawn parallel with and sixty (60) and ninety (90) feet respectively from said street margin. The fourth subdivision shall include all lands lying between a line drawn parallel with and ninety (90) feet from said street margin and the outer limit of said local improvement district, as hereinabove described. If the areas of each of the four subdivisions are equal, there shall be assessed against the first subdivision 40 per centum of the whole cost, against the second subdivision 25 per centum of the whole cost, against the third subdivision 20 per centum of the whole cost, and against the fourth subdivision 15 per centum of the whole cost. If the areas are unequal, the rates fixed for each subdivision shall be fixed on the basis that the benefits conferred on a square foot of land in subdivisions first, second, third and fourth respectively, are related to each other as are the numbers 40, 25, 20 and 15 respectively.

Hearings on Assessment Rolls: Notice of Hearing:—The city council, at all hearings on assessment rolls, shall sit as a board of equalization in open council for the purpose of changing, altering or amending said rolls, that all assessments shall be made, as near as may be, strictly in accordance with special benefits, and the subdivision rate of assessment herein prescribed, shall in nowise limit or abridge such powers of the city council. All notices of hearing on assessment rolls shall clearly specify that at such hearing the council will proceed to confirm all assessments shown thereon, or lower, raise or otherwise modify or alter the same as, in its discretion may be deemed just.

Assessments on City Property:—All assessments levied upon lands of the City of Seattle shall be paid by the City of Seattle out of the funds of the department or commission having supervision of said lands.

Sec. 12. Mode of "Immediate Payment":—There shall be two (2) modes of making payment for such portion of the cost and expense of the improvements mentioned in section eleven (11) of this article as shall be chargeable against the local improvement district created as hereinbefore provided, to-wit: "Immediate Payment" and "Payment by

Bonds." The mode adopted shall be the mode petitioned for in case said improvement shall be made upon petition, otherwise the mode shall be such as the council shall direct in the ordinance ordering such improvement.

The mode of "Immediate Payment" shall be as follows:

After the city council has by ordinance ordered or authorized the making of any such improvement, and not more than twenty (20) days after the contract therefor has been let as hereinbefore provided, the board of public works shall report to the council an assessment roll prepared in duplicate by the city engineer, which shall contain the description of each lot or parcel of land or part thereof to be assessed, the amount to be charged, levied or assessed against each lot or parcel of land or part thereof in proportion to the special benefits to be received by each such lot or parcel or part thereof from such improvement, and the name of the owner of each lot or parcel of land or part thereof, if known, but in no case shall a mistake in the name of the owner be fatal when the description of the property is correct. The council, on receipt of such assessment roll, shall cause a notice thereof to be published in the official newspaper of the city for ten (10) consecutive issues, notifying all persons interested that said roll has been filed and requiring them to appear at a time fixed not less than fifteen (15) days from the date of the last publication of such notice and make objections thereto. The council shall at the time fixed consider all objections made and shall make such corrections of such roll as it deems just, and shall then, by ordinance, approve such roll, and levy and assess the amounts thereof against each lot and parcel or part thereof, and declare the same a first lien thereon, and shall cause the roll to be delivered to the city comptroller, who shall forthwith transmit the duplicate of the same to the city treasurer with his certificate that the same has been duly approved by the city council, upon receipt of which the city treasurer shall proceed to collect the same, except as the duty of collection thereof is devolved by law upon some other officer; Provided, That such treasurer shall give ten days' notice in the official newspaper (and shall mail a copy of such notice to the owner of the property assessed, when the postoffice address of such owner is known, but the failure to mail the same shall not be fatal when publication thereof is made) that such roll has been certified to him for collection, and that unless payment is made within thirty (30) days from the date of such notice such assessment will become delinquent and shall bear interest at the rate of ten per cent. per annum until paid, and if not paid before such assessment shall have become delinquent a penalty of five per cent. shall be added, and such delinquent assessments shall forthwith be collected by the city treasurer in his ex-officio capacity as tax collector in the manner prescribed by law. The city treasurer shall add no penalty to any delinquent assessment in any case where the state laws require a penalty to be added to such assessment. (*As amended March 3, 1908. (cf. Am. 1900.)*)

Sec. 13. Mode of Payment by Bonds; Estimate; Assessments; Levy and Collection; Issuance and Sale of Bonds:—The mode of payment by bonds shall be as follows: After the city council has by ordinance or-

dered or authorized the improvement, and not more than twenty days after the contract therefor has been let, an estimate and roll shall be made and returned and corrections be made therein and notice given as prescribed in section 12 of this article governing local improvements made under the immediate payment plan, and the cost and expense of such improvement shall be charged against the lots and parcels of land in the local improvement district to be created by the ordinance authorizing the improvement, in the method prescribed by sections 11 and 12 of this article. Contracts shall be made and assessments levied and collected in the same manner as is provided in this article for the levying and collection of assessments where payment is provided to be made by the mode of immediate payment, except as otherwise herein provided, and all other proceedings shall be had in accordance with the provisions of the laws of the State of Washington relating to the issuance and sale of bonds by cities, to pay for local improvements, and providing for the payment thereof. (*As amended March 6, 1900.*)

Sec. 14. Contracts Made or Supplies to be Purchased by Contract Let to Lowest Bidder; Notice; Check or Surety Bond With Bid:—All public improvements to be made or supplies to be purchased by contract shall be let to the lowest bidder therefor. Before awarding any such contract the board of public works shall cause to be published in the official newspaper of the city a notice, for at least ten days before the letting of such contract, inviting sealed proposals for such work, or supplies, the plans and specifications or quality whereof must, at the time of the publication of such notice be on file in the office of the secretary of the board, subject to public inspection. Such notice shall state generally the work to be done or supplies to be furnished, and shall call for proposals for doing or furnishing the same, sealed and filed with the secretary on or before the day and hour named therein. All bids shall be accompanied by a certified check payable to the order of the city comptroller, or a surety bond, for a sum not less than 5 per cent. of the amount of the bid, and no bid shall be considered unless accompanied by such check or bond. (*As amended March 5, 1912.*)

Sec. 15. Opening Bids; Acceptance and Rejection; Letting Contract; Return of Checks; Forfeiture; No Remission:—At the time and place named such bids shall be publicly opened and read; no bid shall be rejected for informality, but shall be received if it can be understood what is meant thereby. The board shall proceed to determine the lowest bidder, and may let such contract to such bidder, or, if in their opinion all bids are too high, they may reject all of them and readvertise, and in such case all checks shall be returned to the bidders; but if such contract be let, then and in such case all checks shall be returned to the bidders except that of the successful bidder, which shall be retained until a contract be entered into for making such improvement between the bidder and the city in accordance with such bid. If the said bidder fails to enter into such contract in accordance with his bid within ten days from the date at which he is notified that he is the successful bidder, the said check and the amount thereof shall be forfeited to the city, and the secretary shall deliver said check to the city comptroller, who shall

draw said amount and pay the same into the city treasury, to the credit of the "local improvement fund," and the board shall readvertise for proposals for such work. Neither the board nor the city council shall have power to remit such forfeiture.

Sec. 16. Thirty Per Cent. of Contract Price Retained; Lien of Laborers and Material Men; Improvement, When Deemed Completed:—In letting all contracts for public improvements the board shall provide therein that at least thirty per cent. of the amount due the contractor on estimates shall be retained to secure the payment of laborers who have performed work thereon, and material men who have furnished materials therefor, and such laborers and material men shall for thirty days after their work has been completed have a lien on such thirty per cent. so reserved for labor done and materials furnished, which lien shall be senior to all other liens, whether by judgment, attachment or contract, and no improvement shall be deemed completed until the board shall have filed with the city clerk a statement signed by a majority of them declaring the same to have been completed. The city council shall by ordinance prescribe suitable means and remedies for the preservation and enforcement of the liens provided for in this section.

Sec. 17. Surplus Funds; Rebates; Unclaimed Surplus Funds:—Any funds remaining in the treasury belonging to the fund of any local improvement district after the payment of the whole cost and expense of such improvement, in excess of the total sum required to defray all the expenditures by the city on account thereof, shall be refunded, on demand, to the amount of such over payment; and if there shall be an excess in the assessment of any person who shall not have paid his assessment a rebate shall, on demand, be allowed to such person to the amount of such over-assessment; Provided, Such demand hereinabove provided for be made within two years from the date upon which the assessment for such local improvement district became due. Any such funds remaining in the treasury after the expiration of two years from the date aforesaid for which no demand has been made as herein provided, belonging to any local improvement district, after the payment of the whole cost and expense of such improvement shall be transferred to the general fund.

Sec. 18. Subdivision 1. Re-assessments, When Made:—Whenever an assessment for laying out, establishing, closing, straightening, altering, widening, grading, regrading, paving, repaving, planking, replanking, sidewalking and bridging, macadamizing, remacadamizing, graveling, regravelling, piling, repiling, capping, recapping, any street, avenue or alley, or for any local improvement which has heretofore been made or which may hereafter be made by the city, has been or may be hereafter declared void, and its enforcement under this charter or the laws governing the city refused by the courts of this state, or for any cause whatever has been heretofore or may be hereafter set aside, annulled or declared void by any court, either directly or by virtue of any decision of such court, the city council shall, by ordinance, order and make a new assessment or re-assessment upon the lots, blocks or parcels of land which have been or will be benefited by such local improvement, to the

extent of their proportionate part of the expense thereof, and in case the cost shall exceed the actual value of such local improvement, the new assessment or re-assessment shall be for, and based upon the actual value of the same at the time of its completion; and to this end the board of public works shall make a new assessment roll inequitable manner with reference to the benefits received, as near as may be in accordance with the law in force at the time such re-assessment is made, and when the same shall have been confirmed and approved by the council it shall be enforced and collected in the same manner that other assessments for local improvements are enforced and collected under the charter or laws governing the city, but all proceedings relative to making the expenses of local improvements chargeable upon property benefited thereby, required and provided by this charter or laws of the city prior to the making of original assessment roll, shall not be included or required within the purpose of this section.

Subdivision 2. Re-assessment by Ordinance:—The city council shall by ordinance order and make a new assessment or re-assessment, as provided in this section, upon the lots, blocks or parcels of land, which have been or will be benefited by such improvement, to the extent of their proportionate part of the cost, expense and value thereof.

Subdivision 3. Re-assessment Roll:—Upon the passage of an ordinance, as hereinbefore provided, the board of public works shall make out an assessment roll according to the provisions of the said ordinance and shall certify the same to the council.

Subdivision 4. Notice; Objections:—Upon receiving the said assessment roll the city clerk shall give notice by three (3) successive publications in the official newspaper of the city that such assessment roll is on file in his office, the date of filing the same, and said notice shall state a time at which the council will hear and consider objections to said assessment roll by parties aggrieved by such assessment. The owner or owners of any property which is assessed in such assessment roll, whether named or not in such roll, may within ten (10) days from the last publication provided herein, file with the clerk his objections in writing to said assessment.

Subdivision 5. Hearing on Objections; Revision; Correction, Confirmation or Setting Aside of Re-assessments:—At the time appointed for hearing objections to such assessment, the council shall hear and determine all objections which have been filed by any party interested, to the regularity of the proceedings in making such re-assessment, and to the correctness of the amount of such re-assessment, or of the amount levied on any particular lot or parcel of land; and the council shall have the power to adjourn such hearing from time to time and shall have the power, in its discretion, to revise, correct, confirm or set aside, and to order that such assessment be made de novo, and the council shall pass an order approving and confirming said proceedings and said re-assessment as corrected by it and its decision and order shall be a final determination of the regularity, validity and correctness of said re-assessment, to the amount thereof levied on each lot or parcel of land.

Subdivision 6. Contract, Completion of Work or Irregularities Not to Prevent Re-assessment; Limit of Re-assessment; Payments Under Former Assessments:—The fact that the contract has been let or that such improvement shall have been made and completed in whole or in part, shall not prevent such assessment from being made, nor shall the omission, failure or neglect of any officer or officers to comply with the provisions of the charter or laws governing the city, as to petition, notice, resolution to improve, estimate, survey, diagram, manner of letting contract or execution of work, or any other matter whatsoever connected with the improvement and the first assessment thereof, operate to invalidate or in any way affect the making of the new assessment or re-assessment as provided for by this section, charging the property benefited with the expense thereof; Provided, That such new assessment shall be for an amount which shall not exceed the actual cost and value of the improvement, together with any interest that shall have lawfully accrued thereon, and that such amount be equitably apportioned upon the property benefited thereby, according to the provisions of the charter or laws of the city. It being the true intent and meaning of this section to make the cost and expense of all local improvements payable by the real estate benefited by such improvement by making a re-assessment therefor, notwithstanding that the proceedings of the city council or board of public works or any of its officers may be found irregular or defective, whether jurisdictional or otherwise; when such re-assessment is completed all sums paid on the former attempted assessment shall be credited to the property on account of which the same was paid.

Subdivision 7. Collection of Assessments:—In all cases where the treasurer or proper collecting officer shall be unable to enforce the collection of any special assessment, by reason of irregularity or omission in any proceedings subsequent to the confirmation of such assessment, the council is authorized and empowered to cause a new warrant or order to issue to the treasurer or other proper officers for the collection of any assessment which, by reason of such irregularity or omission, remains unpaid and not collected. The treasurer, or other proper officer, shall proceed under such new warrant or order to enforce and collect the assessments therein specified in the same manner, as near as may be, as is prescribed by the provisions of this section, for the enforcement and collection of such assessment, after the same shall have been confirmed as in this section provided; and as often as any failure shall occur by reason of such irregularities or omissions, a new warrant or order may issue, and new proceedings be had in like manner, until such special assessment shall be fully collected, as to each and every lot or parcel of land charged therewith.

Subdivision 8. Right of Appeal From Assessments:—Any person who has filed objections to such new assessment or re-assessment, as hereinbefore provided, shall have the right to appeal to the superior court of King County.

Subdivision 9. Appeal, How Taken; Judgment on Appeal; Costs:—Such appeal shall be made by filing a written notice of appeal with the city clerk within ten (10) days after such new assessment or re-assess-

ment roll shall have been approved and confirmed by the council, and said notice shall describe the property and the objections of such appellant to such assessment, and such appellant shall also file with the clerk of the superior court aforesaid, within twenty (20) days from the approval and confirmation of such roll by the council, a copy of said notice, appeal, re-assessment roll and proceedings thereon certified by the city clerk, together with a bond to the city, conditioned to pay all costs that may be awarded against the appellant in such sum not less than two hundred dollars (\$200), and with such security as shall be approved by a judge of said court, and the case shall be docketed by the clerk of such court in the name of the person taking such appeal against the city as "an appeal from assessments." The judgment of the court shall be either to confirm, modify or annul the assessment in so far as the same affects the property of the appellant, from which judgment an appeal shall lie to the supreme court as in other causes. In case the assessment is confirmed the fees of the city clerk for copies of the record shall be taxed against the appellant with other costs.

Subdivision 10. Re-assessment for Deficiencies:—Whenever, for any cause, mistake or inadvertence, the amount originally assessed shall not be sufficient to pay the cost of the improvement made and enjoyed by the owners of property in the local assessment district where the same is made, it shall be lawful, and the city council is hereby directed and authorized to make re-assessments on all the property in said local assessment district sufficient to pay for such improvement, such re-assessment to be made and collected in accordance with the provisions of this section.

Sec. 19. Lighting Contracts:—No contracts for lights or lighting shall be let for a longer term than one year. The lights shall be of such kind as the city council may by ordinance prescribe.

Sec. 20. Public Work on Sundays, Holidays and at Night, Permit for, Required; Forfeiture of Franchises:—No work shall be done by the city or any department, officer or employe thereof, on any legal holiday or Sunday by way of construction or extension of any public work, nor shall any work be done on any such day, or between seven o'clock p. m. of any day and six o'clock a. m. of the following day, by any corporation or other person, by way of construction, extension or removal of any structure upon, over, under or along any street, alley or other public place within the city or under control of the city, except in case of extraordinary emergency, and then only upon the written permit of the mayor, wherein the fact of such emergency, and the nature thereof shall be specified, and in case of violation of any provision of this section by any person or corporation owning, holding or claiming any franchise in, over, under or along such street, alley or other public place, all his right or its right, title and interest in such franchise shall thereby be forfeited and instantly revert to the city. The mayor shall be free in his discretion to grant or withhold such permit.

Railroad, Telegraph, Telephone or Electric Construction, Permit for, Required:—And in no case shall any corporation or person be permitted

to commence a building or construction of any street or other railroad, telegraph, telephone or electric light line in the city without first obtaining a permit therefor from the board of public works.

Sec. 21. Recommendations as to Sewerage System:—The board of public works shall from time to time make such recommendations to the city council relating to the extension or improvement of the sewerage system as said board may deem proper.

Sec. 22. Location, Form and Material of Sewers:—Said board, subject to such control as the city council shall by ordinance exercise, shall prescribe the location, form and materials to be used in the construction and repairs of all public sewers, manholes, sinks, cesspools and other appurtenances belonging to the sewerage system, and of every private sewer emptying into a public sewer, and determine the place and manner of location thereof, except as otherwise in this charter provided.

Sec. 23. Construction of Public Sewers; Estimates; Plans; Maps:—Before any public sewer shall be contracted for or built, its construction shall be ordered by the city council, and the city engineer, or any other person the council may designate, shall cause to be prepared the necessary estimates and plans for the work, and a profile showing the grades of the street and sewer, and the depth of such sewer below surface of the street, and the height above the level established and used as the city datum, and when such sewer is completed he shall cause a map to be prepared, showing the size and location of the manholes, basins and branches.

Sec. 24. Sewer Connections, Permit for, Required:—No person shall connect with or open or penetrate any public sewer or drain without first obtaining a permit in writing from said board, and complying with the rules and regulations of said board in reference thereto.

Sec. 25. Hot Air, Gas, Steam or Hot Water in Public Sewers:—Air, gas, steam or water above one hundred and forty degrees Fahrenheit in temperature shall not be discharged into any public sewer or into any private sewer or drain connecting with such public sewer, and the city council shall by ordinance prohibit the same.

Sec. 26. Rules and Regulations as to Sewers and Drains:—Said board shall recommend to the city council such other rules and regulations concerning the public and private sewers and drains in said city as said board shall deem best.

Sec. 27. Purchase or Condemnation of Property for Sewers; Title in City:—The city council may, upon the recommendation of said board, by ordinance passed by the affirmative vote of the majority of all the members elected, authorize the purchase of any personal property, or the acquisition by purchase or condemnation of any real estate, which may be necessary for the construction of any sewers or the making of any improvement provided for in this article. The title to all real estate purchased shall be taken in the name of the city.

Sec. 28. Rights of Way for Sewers Through Private Property:—Said board may, with like authorization by the city council, agree with the owner of any real estate over or through which it is deemed desirable to construct any sewer or other improvement related to sewerage or drainage, upon the amount of damage to be paid to such owner for the perpetual use of said real estate for such purpose.

Sec. 29. Construction of General Sewerage System:—Said board shall, when authorized by ordinance of the city council, construct such sewers, reservoirs and pumping works, whether within or without the city, as may be necessary to carry out the general system of sewerage of the city.

Sec. 30. Drainage and Cleaning of Private Property, Assessment and Collection of Cost:—The city council shall by ordinance provide that the owners and occupants of lands, buildings or premises within the city, at their own expense, properly drain the same, or drain or clean any vault, cesspool, ditch, pipe or drain therein used as a receptacle or conductor of filth or refuse matter, and that all expenditures of the city in draining or cleaning private premises be assessed against such premises. Every assessment shall be a lien upon the premises so drained or cleaned, and such assessment may be collected and the lien enforced by a suit in the name of the city.

Sec. 31. Subdivision 1. Contractors' Bonds; Terms; List of Sureties' Property; Conditions:—Before any contract for the doing of any work or labor, or furnishing any skill, labor or material to or for the City of Seattle shall be valid or binding against the city, the contractor shall enter into a joint and several bond with the City of Seattle, for the use of the city and also for the use of all persons who may perform or cause to be performed any work or labor, or furnish or cause to be furnished any skill, labor or material in the execution of such contract, conditioned to perform the contract according to its terms, conditions and stipulations, and to pay as they become due all just claims for all work and labor so performed and all skill or labor and material so furnished in the execution of such contract, and to comply with all the requirements of the charter and ordinances of the city and the amendments thereto, which bond shall be in an amount fixed by the board of public works, but not less than fifty per cent. more than the contract price agreed to be paid for the performance of such contract, and shall be duly signed by such contractor and two or more good and sufficient sureties, and after being approved as herein provided, shall be filed in the office of the city comptroller; Provided, That before approving any such bond the mayor and comptroller shall cause to be filed with and preserved by them, by the proposed sureties, a list of the properties owned by each such proposed surety, such list describing with reasonable certainty the various properties and showing whether the same is community property or separate property and the encumbrances thereon. The bond shall also contain any other conditions or provisions required by any state law, and such bond shall be deemed to run also to the State of Washington.

Subdivision 2. Sureties; Justification; Number:—The sureties on such bond shall each justify as bail upon arrest. More than two sureties may be accepted on such bond, and they may justify in separate and different sums less than the sum specified in such bond; Provided, That the aggregate of their justification shall be equal to two sureties justifying in double the amount of the bond in the manner herein provided.

Subdivision 3. Approval of Form and Sureties; Rejection of Sureties:—It shall be the duty of the corporation counsel of said city to see that such bond is fully and properly executed and conforms in all respects to the provisions of this section; and thereupon shall indorse upon said bond his approval of the form thereof. Such bond, and the sureties thereon, shall be subject to approval by the mayor and comptroller, but they shall not approve any such bond unless the said corporation counsel's approval of the form thereof be indorsed thereon, nor unless the sureties on such bond appear personally before the mayor and comptroller if required, and are by them examined, touching their fitness and ability to become sureties on such bond; and it shall be the duty of such mayor and comptroller to reject any person, notwithstanding his justification subscribed to the bond, if they shall deem such person of insufficient ability or otherwise unfit to become a surety on such bond.

Subdivision 4. Assignment of Contracts; Consent of Board and Sureties:—No contract with said city for the doing of any public work shall hereafter be assigned or transferred in any manner without first having indorsed thereon the consent of the board of public works, and of the sureties on the contractor's bond, and no transfer or assignment thereof shall in anywise affect such bond, or the liability of the sureties thereon, and any assignment or transfer without such consent and waiver indorsed thereon, except by operation of law, of any such contract, shall make the same null and void, as to any further performance thereof by the contractor or his assigns without any act on the part of the city; and the board of public works shall at once proceed to re-let such contract, or said board may, in its discretion, proceed to complete the same as the agent, and at the expense of such contractor and his bondsmen.

Assignment, Transfer, Abandonment or Surrender Not to Release Sureties:—No assignment, transfer, abandonment or surrender, either voluntary or otherwise, of any contract with the city for the doing of any work or labor, or the furnishing of any work or labor, skill or material, nor any change in any such contract, nor any extension of time in which to complete any such contract, shall ever operate to release the sureties on the bond in this act provided for; and no such assignment, transfer, abandonment, surrender, change or extension of time shall ever be pleaded as a defense to any action upon such bond in any court in this state.

Subdivision 5. New or Additional Bonds; Forfeiture of Contract; Completion of Work:—The board of public works may, whenever in their judgment one or more of the sureties on such bonds have become insolvent, or for any other cause are no longer fit and sufficient sureties,

require any such contractor to file a new or additional bond within ten days after notice to that effect; and thereupon all work on such contract shall cease until such additional bond shall be filed with the city comptroller, and if any such contractor shall fail for ten days after notice to that effect to file a new or additional bond as aforesaid, his contract shall by that fact alone become fully ended and void as to future performance thereof by such contractor, and thereupon the board shall proceed to re-let such contract, or may, in its discretion, proceed to complete the same as the agent and at the expense of such contractor and his bondsmen.

Subdivision 6. Completion of Abandoned or Forfeited Contracts; Suits to Recover Cost:—If any such contract shall for any reason become ended or void, and the board of public works shall complete the same, as in this section provided, and the costs of so completing such contract shall exceed the amount unpaid by the city upon such contract at the time the same shall become ended or void, in such case it shall be the duty of the corporation counsel to at once commence an action in the name of the city against such contractor and his bondsmen for the recovery of the difference in amount between the cost of so completing such contract and the amount unpaid by the city upon such contract at the time the same became ended or void.

Contracts with Defaulting Contractors Prohibited Within Two Years:—The board of public works is hereby prohibited from entering into any contract for the doing of any work or labor or the furnishing of any skill or material with any person who, within two years prior thereto, shall have made default in the payment of any just claim for any work or labor performed or for any skill or material furnished pursuant to any such contract with such party, or with any person who within two years prior thereto shall have assigned, abandoned, surrendered, or failed to complete any such contract, except as herein authorized, or who shall have failed to comply with any of the provisions of this section.

ARTICLE IX.

THE DEPARTMENT OF FINANCE.

Section 1. Powers and Duties of City Comptroller:—The city comptroller shall exercise general supervision over the financial affairs of the city. He shall number and keep a record of all demands allowed by him, showing the date of approval, amount and name of original holder, the number, on what account and out of what fund payable. He shall be required to be constantly acquainted with the exact condition of the treasury. He shall, on or before the 5th day of each month, or oftener, if required, report to the mayor and to the city council the condition of each fund in the treasury. He shall make annual reports to the city council and to the mayor on his request, of the financial condition and requirements of the city, with a careful statement and estimates of the receipts and expenditures. He shall keep a complete set of books by double entry system for the city, in which shall be set forth in plain and businesslike manner every money transaction of the city, so that

he can at any time tell the exact condition of the city's finances. He shall make an annual report, showing the source from which the city's revenues were derived, and how expended. He shall require all claims, returns, settlements and reports to be verified by affidavit. He shall issue all licenses in accordance with law on presentation to him of a receipt from the city treasurer, showing that the license fee has been paid, and he shall sign all warrants upon the treasurer, except as otherwise provided in this charter. (*As amended March 8, 1910.*)

Sec. 2. Administering Oaths; Seat In and May Address Council:—The city comptroller and his deputies shall have authority to take affidavits and administer the necessary oaths in the transaction of all city business; he shall have a seat in the city council, with the right to speak on any question pertaining to his department, but shall have no vote.

Sec. 3. Posting Salary List:—He shall keep publicly posted in his office a list of all persons receiving salaries from the city, with the amount of monthly salary received by each opposite his name, which list shall be revised and corrected by him monthly, and be at all times open to public examination.

Sec. 4. Duties by Ordinance; Appointment of Deputies:—He shall perform such other duties as this charter or the city council may direct, and may appoint one chief deputy, and, under civil service rules, such other deputies as the city council may authorize.

Sec. 5. City Treasurer; ex-Officio Tax Collector:—There shall be a city treasurer, who shall, except as otherwise provided by law, be ex-officio tax collector. (*As amended March 3, 1908.*)

Sec. 6. Duties; Receive, Keep and Pay Out Money and Keep Accounts; Audited Claims:—As tax collector, the city treasurer shall perform the duties provided in this charter and by the general laws of the state. As treasurer, he shall receive, keep and pay out all moneys belonging to the city, and shall keep an account of all receipts and expenditures, under such rules and regulations as may be prescribed by ordinance, and shall do all things required of him by this charter or the ordinances of the city. He shall not pay out any money belonging to the city except upon legal demands allowed and audited in the manner prescribed by this charter or by law.

Sec. 7. Treasurer Shall Receipt for Moneys and Pay Out Same on Warrants; Daily and Weekly Statements:—It shall be the duty of the city treasurer to receipt for the moneys of the city, and pay out the same only on warrants drawn in pursuance of the order of the city council, and signed and registered by the city comptroller; Provided, that the city council may, by ordinance, provide that such warrants may be signed by a duly authorized deputy city comptroller. The city treasurer shall each day, except Sundays and legal holidays, render to the city comptroller a statement of the balance in each fund of the treasury of the city. He shall also once each week make a statement, under oath, to the city comptroller, showing where the city funds are then kept, and it shall be the duty of the city comptroller to forthwith verify each such statement. He shall require good and sufficient bonds for his own

indemnification, to be given by all assistants and clerks in his office who shall receive or have care, custody or handling of any moneys or other valuable thing belonging to the city, which bonds shall be approved by the mayor, and may be security indemnity bonds.

Calling Warrants; Stopping Interest; Publication of Call; Account to Successor:—He shall issue a call for outstanding warrants on any fund upon which warrants have been previously presented and payment refused for want of funds, whenever there may be one hundred dollars of that fund in the treasury, or whenever there are sufficient funds in the treasury to pay all outstanding warrants; interest to cease fifteen days after the publication of the first notice. Warrants shall be paid in the order of their number and date of issue, and shall be charged to their respective funds. Such call shall be made by publication in the city official newspaper for the period of one week, and shall be made within fifteen days after the required amount of money is in said fund. He shall account for and pay over all moneys on hand as such treasurer to his successor in office, and deliver all books, vouchers and effects of office to him, and such successor shall receipt therefor. (*As amended March 8, 1910.*)

Sec. 7-a. Contingent Fund Established:—There shall be established by ordinance a contingent fund, into which shall be appropriated from the general fund such sum as the city council shall designate with which to pay employes of the city discharged between regular pay days. Payments shall be made by the treasurer from said fund on certification by the city comptroller of amounts due. Said fund shall be reimbursed on the next day following pay day by transfer thereto from the funds liable for payments made therefrom. Another contingent fund shall be established into which shall be appropriated from the general fund such sum as the city council shall designate, to be used for the payment of freight and express charges, telegrams, postage and incidental expenses of like character of the different departments of the city. Payments shall be made from this fund by the treasurer on certification of the comptroller, said fund to be reimbursed monthly from funds liable for payments therefrom. (*As amended March 8, 1910. Adopted 1908.*)

Sec. 8. City Money to be Paid Treasurer; Duplicate Receipts, Failure, Penalty for:—Every officer or agent of the city, or other person who shall receive or have in his hands any money belonging to the city, shall immediately pay over the same to the city treasurer, and take his receipt therefor in duplicate, one of which receipts shall be delivered to the city comptroller by the party paying over the money. If any such officer, agent or other person shall fail to pay over to the city treasurer any moneys so received, or to deliver to the city comptroller such receipt of the city treasurer, for more than forty-eight hours after the money or receipt shall have been received by him, such officer, agent or other person shall forfeit to the city double the amount of money so received, or for which such receipt was given, to be recovered by civil action brought by the city against him in a court of competent jurisdiction.

Sec. 9. Books Open to Inspection:—The treasurer's books shall, at all times in business hours, be open for public inspection, subject to such reasonable rules and regulations as the city council shall by ordinance prescribe.

Sec. 10. Annual Estimate of Expenses and Revenues:—On or before the first Monday in September in each year, the comptroller shall prepare and transmit to the city council, accompanied with estimates and reports of each department, which he shall require to be delivered to him from the heads of each department on or before the tenth day of August of each year, an estimate of the probable necessities of the city for the ensuing fiscal year, giving the amount required to meet the interest and sinking funds for any and all outstanding bonded debts, together with the amount needed for salaries and probable wants of all departments of the municipal government in detail, and showing the necessities of each of the several funds to be provided for in the treasury. The estimate shall also show as nearly as may be what amount of income and revenue is likely to accrue to the treasury, and be collected from fines, licenses, and all other sources of revenue, exclusive of tax on property, and shall give an estimate of what amount will be required to be levied and raised by tax from all property in the city, in order to meet the necessities of such fiscal year, said estimates to be based upon, where practicable, the resources and expenditures of the current fiscal year; and at the same time the comptroller shall also report to the city council the balance on hand in each fund.

Sec. 11. Fixing Rate; Levying Taxes:—The city council shall, on or before the first Monday in December in each year, by ordinance, fix the rate of taxes to be levied, and levy the taxes upon all taxable property, both real and personal, in the city, needed to raise sufficient revenue to carry on the different departments of the municipal government for the ensuing fiscal year. No revenues raised by tax levy shall be appropriated for any other purpose than that specified in such levy, except the city council may, by ordinance passed by a three-fourths vote of all members elected, appropriate any necessary portion of such revenues for the preservation of the peace, health and safety, which ordinance shall declare an emergency, shall state therein the facts constituting such emergency, and shall specify that a deficiency is thereby created which shall be provided for in the next succeeding tax levy. (*As amended March 7, 1911.*)

Sec. 12. Auditing Committee; Members; Organization; Meetings; Examination, Allowance or Rejection of Claims; Quorum:—There is hereby created an auditing committee, which shall consist of the mayor, president of the city council, the chairman of the finance committee thereof, and the comptroller. The mayor shall be the chairman of the committee, and the comptroller shall be secretary, but in the absence of either from any meeting of the committee a temporary chairman or secretary may be chosen by the committee to act for the time being. Said committee shall hold stated meetings once in each month, and may adjourn from time to time. It shall be the duty of the committee to examine all claims and demands against the city of whatsoever nature, and

to recommend to the city council the allowance or disallowance of the same or any part thereof.

Three members of the committee shall constitute a quorum for the transaction of business, but a less number can meet and adjourn from time to time.

Sec. 13. Claims Against City; Verification; Filing; Auditing; Report to Council:—All demands, bills and claims which may arise against the city, including the payment of all employes of the city, whether under regular monthly salary or not, shall be duly verified as hereinafter provided, and be filed with the secretary of the auditing committee, who shall file and number the same in the order of presentation, and refer the same to the auditing committee for action, whose duty it shall be to recommend the allowance or rejection of the same in whole or in part, and, if allowance be recommended, to designate the particular fund from which they are to be paid, and indorse upon each claim or demand the date of the recommendation of its allowance or rejection, the amount to be allowed, and also the section of the charter, number of ordinance, number of contract, resolution or order under which the said claim or demand was authorized or contracted for. These indorsements shall be verified by the signature of the chairman and secretary of the auditing committee. All claims or demands, after being audited by said committee shall be forthwith reported to the city council for final action.

Sec. 14. Claims; How Verified and Itemized:—All demands and claims against the city hereinbefore required to be verified shall be subscribed and sworn to before the city comptroller or one of his deputies, or some officer authorized to administer oaths. Each claim or demand must be accompanied by a detailed statement of the items, which shall be attached thereto and made a part thereof.

Sec. 15. Record of Proceedings of Auditing Committee:—The secretary of the auditing committee shall attend all meetings of said committee and keep a correct record or journal of the proceedings of the committee.

Sec. 16. Funds Established and Defined:—The following funds are hereby established:

First. Water Fund; Surplus:—The water fund, into which shall be paid all revenues derived from the water department, and from which shall be paid all expenses of operation and maintenance of the water system. Any surplus remaining in the fund at any time after the payment of such expenses may be disposed of as is or may be provided by ordinance.

No Ordinance Invalidated:—Nothing contained in this subdivision of section 16 shall repeal or in any wise invalidate any ordinance or plan or scheme proposed thereby heretofore approved by the electors of the city upon submission thereof to them, nor to prevent any modification or amendment of such ordinance, plan or scheme, upon submission thereof to the electors of the city.

Second. **Park Fund:**—The city park fund, from which shall be paid all expenses incident to the acquisition, maintenance, ornamentation and improvement of the parks, park drives, boulevards, and public places of the city.

Third: **Library Fund:**—The library fund, from which shall be paid all expenditures incident to the Seattle Public Library.

Fourth. **General Fund; Accounts:**—The general fund, into which shall be paid all revenues of the city, except as otherwise provided by law, and from which shall be paid all expenses and liabilities of the city which are not payable out of special funds. Such accounts shall be kept in the general fund with the several departments and with other city expenditures, as may be prescribed by ordinance.

Sec. 17. **Establishment of Other Funds; Existing Funds Continued; Distribution of Annual Levy; Transfer of Funds; Certain Transfers Prohibited:**—The city council may from time to time establish such other funds as it may deem necessary, and shall establish and continue in force all interest funds, bond funds, bond redemption funds, and other funds now or hereafter established for the payment of interest upon and the payment of bonded indebtedness of the city; and the percentage of each annual tax levy shall be named for each fund, and the whole amount of taxes and revenue of the city appropriated to said several funds accordingly; and no transfer shall be made from one fund to another except as otherwise provided in this charter, unless by an affirmative vote of a majority of the members elected of the city council by ayes and noes, recorded in the journal of proceedings, and in no case shall any moneys be transferred from any fund provided for the payment of any interest or principal of any bonded indebtedness then existing, nor from the library fund to any other fund.

Sec. 18. **Provisions of Previous Charter Relating to Levy and Collection of Taxes Continued in Force for Certain Purposes:**—The provisions relating to the levy and collection of taxes contained in Article IX. of, or elsewhere in the Charter of Seattle which is superseded by this charter, are hereby continued in force, to all intents and purposes, as if expressly re-enacted herein, in so far as may be necessary or proper for the enforcement on the part of the city of any rights, demands, levies, claims, moneys, taxes, interest or penalties due or hereafter to become or be declared due to the city under such provisions or under any past or present law of the state or city, and the same shall be enforced by the collector or other proper officer or officers herein or by law provided for, and the title or inchoate title or rights of the city in or to all lots of lands heretofore sold or hereafter to be sold to the city under such provisions, or any precedent law or charter may be perfected under such provisions, precedent law or charter, as fully as if such provisions, precedent law or charter were herein expressly re-enacted.

ARTICLE X.

DEPARTMENT OF SANITATION.

Section 1. Commissioner of Health; Appointment, Salary, Term of Office, Duties and Powers; Shall Have Powers and Perform Duties of Board of Health and Health Officer:—There shall be a commissioner of health, to be appointed by the mayor, subject to confirmation by the council, who shall have been an active practitioner of medicine for five (5) years. The salary of the commissioner of health shall be fixed by ordinance. He shall hold office for five (5) years, and may be removed by the mayor filing notice of removal with the city council, such removal to become effective upon confirmation by a majority vote of the city council. The commissioner of health shall have supervision and control of all matters appertaining to the health and sanitation affairs of the city, including such hospitals as may be established or maintained by the city. He shall be the executive officer of the department of health and sanitation and see that all provisions of the charter and ordinances relating to the health and sanitation of the city, and such rules and regulations as he may prescribe, are enforced. He shall appoint all medical assistants and nurses employed in said department, and, whenever vacancies may occur in other positions now existing in said department and any additional employees hereafter appointed, other than medical assistants and nurses, such vacancies shall be filled and additional employees appointed by the commissioner of health, subject to civil service rules and regulations. The city council shall forthwith prescribe by ordinance the duties and fix the salaries of the officers and employees of said department. All powers heretofore vested in and duties imposed upon a board of health and (or) health officer by the charter and ordinances of the city are hereby exclusively vested and imposed upon the commissioner of health. *(As amended March 3, 1908.)*

(Note.—Sec. 2 amended 1902. Secs. 2, 3 and 4 were superseded by Sec. 1, as above.)

Sec. 5. Visits to and Investigations of Public and School Buildings; Reports, Statistics:—The health officer shall visit the public buildings and institutions of the city and the public and other schools within the city once in each month and as frequently as may be required by the board of health, and investigate the sanitary condition of the same, and make monthly reports of such examination to the board of health. He shall also make to the board a monthly and annual report of the affairs of his office, including natal, mortuary and other sanitary statistics.

Sec. 6. Vacation of Unsanitary Buildings:—Whenever the health officer shall certify to the board of health that any building or any part thereof is for any sanitary cause unfit for human habitation, said board may issue an order, to be affixed conspicuously on the building, and where practicable, to be served on the owner, agent or occupant, requiring all persons to vacate such building or apartment at and until such time as the board may determine. The cause of vacation shall be stated in the order.

Sec. 7. Infectious Diseases; Inspection; Quarantine Flag and Placard:—Whenever a case of smallpox, yellow fever, Asiatic cholera or other infectious disease is reported to the health officer, he shall immediately visit the premises where the person is, and if he shall find such reported disease or any infectious disease on such premises, he shall forthwith cause to be displayed a quarantine flag in a conspicuous place on said premises, and post upon the doorway a placard setting forth the fact that infectious disease exists therein and the name of such disease.

Sec. 8. Reports to Police, Schools and Libraries:—The health officer shall immediately report to the chief of police, city school superintendent, the principals of private and other schools within the city and the librarian of the Seattle public library, the names and residences of every person sick of the diseases in section 7 of this article enumerated or any other contagious or infectious disease he may deem dangerous to the public health.

Sec. 9. Schools and Libraries, Admittance to Refused, When:—It shall be the duty of the city school superintendent, the principals of private and other schools within the city, and the librarian of the Seattle public library, when so notified, to refuse admittance to the public or private or other schools or library to any member of a household in which any of the aforesaid diseases are found until advised by the health officer that there is no longer any danger from contagion.

Sec. 10. Physicians and Householders to Report Infectious Diseases:—Every physician in the city shall immediately report to the health officer in writing every patient he shall have sick of typhus, typhoid, ship or yellow fever, Asiatic cholera, smallpox, diphtheria or scarlatina, or such other infectious disease as is or may be specified by ordinance, and shall report every death occurring from any such disease immediately; also, every householder in the city shall report forthwith to the health officer the name of every inmate of his or her house whom he or she shall have reason to believe to be sick of any such disease, and any death from any such disease occurring at his or her house.

Sec. 11. Record of Births, Deaths, Interments and Cremations:—The health officer shall keep a record of all births, deaths, interments and cremations occurring in the city.

Sec. 12. Physicians and Midwives to Report Births and Deaths:—All physicians and midwives in the city shall report in writing to the health officer within twenty-four hours all births and deaths occurring in his or her practice.

Sec. 13. Establishment and Maintenance of Hospitals and Pest-houses:—The board of health, through and with the co-operation of the board of public works, with the consent of the city council, may locate, establish and maintain hospitals and pesthouses and discontinue and remove the same whenever necessary for the preservation of the public

health, and may appoint and remove at pleasure such physicians and nurses as may be necessary to maintain the efficiency of the same; and may cause to be removed thereto and kept therein any person affected with any contagious or infectious disease.

Sec. 14. Removal of Persons Having Infectious Disease; Permit for Required:—No person shall remove a person affected with any contagious or infectious disease from any house or place within the city limits to any other house or place without the written permission of the health officer.

Sec. 15. Sanitary Inspector; Inspector of Markets, Sewers, Plumbing, Water, Steam and Gas; Police Power; Qualifications; Duties as Prescribed by Ordinance; Council May Regulate Plumbing:—The board of health shall, with the consent of the city council, appoint a sanitary inspector, who shall be market inspector, inspector of sewers and inspector of plumbing, of water, steam and gas of all buildings within the city. Such inspector shall have the powers of a policeman and must be a practical plumber. His duties shall be such as are or may be prescribed by ordinance. The city council shall by ordinance regulate the plumbing of all buildings with due regard for the health of the city.

Sec. 16. Quarantine and Quarantine Officers:—The board of health may proclaim such quarantines and establish and declare such quarantine districts and stations as may in its judgment be necessary for the preservation of public health, and may appoint and remove at pleasure a quarantine officer.

Sec. 17. Vessels From Infected Ports Subject to Quarantine:—All vessels arriving at the port of Seattle from ports which have been legally declared infected ports, and all vessels arriving from any place where there is prevailing at the time of departure any contagious, infectious or pestilential disease, are subject to quarantine, and must be by the master, owner, pilot or consignee reported to the quarantine officer without delay. Such a vessel must not cross a line drawn as prescribed by the board of health until the quarantine officer has boarded the same and given the order required by law.

Sec. 18. Disposition of Sick and Deceased Persons From Ships:—The board of health shall make rules and regulations relating to the disposition of the sick and deceased arriving on any ship or vessel, and the city council shall provide by ordinance for the recovery of all expenses and charges incurred in their treatment or burial.

Sec. 19. Quarantine of Railroads and Public Conveyances:—The board of health may, when they deem it necessary, require all railroad cars or other public conveyances, before the same shall stop at any depot or station in the city, to stop at any locality selected and established for quarantine purposes, and to leave there all such persons, with their

stores and baggage, as the health officer shall deem necessary so to be left for the health of the city.

Sec. 20. Quarantine Regulations; Enforcement:—The board of health shall make such rules and regulations for the government of the quarantine or the health of the city as from time to time the public health may require, and the physicians or health officers in charge of any quarantine station or place shall have power to enforce such regulations as may be necessary for the proper management thereof, and it shall be the duty of all persons in quarantine, and all agents, officers,

policemen or others employed by the city in or about said quarantine stations or places to carry out and obey the same.

Sec. 21. Interment, Disinterment and Removal of Bodies; Certificate and Permit:—It shall be unlawful to disinter or exhume from a grave, vault, cemetery or other burial place within the city, or owned by the city, or to deposit therein, or remove from the city, the body of any deceased person, without first causing to be filed at the health office a certificate signed by a legally qualified physician or coroner, setting forth as nearly as possible the name, age, sex, color, place of birth, occupation, date, locality and cause of death of such decedent, and obtain from the health officer a written permit therefor.

Sec. 22. Records of Permits, Contents of:—The health officer shall prepare a book of blank permits in proper form containing stubs, on which, as well as in the permits, shall be entered by the health officer a record, giving the name, age, sex, nativity, cause of death and place of burial of each person to be buried, and when a permit is issued for disinterment, or removal of remains, the records shall also show the destination of the remains.

Sec. 23. Enforcement of Health Regulations; Administering Oaths; Powers as Prescribed by Ordinance; Maintenance of Indigent Families in Quarantine:—The city council shall by ordinance provide for the enforcement of such orders and regulations as the board of health may adopt and the council approve, providing also for all expenses incurred in carrying out the same. And in addition to the powers in this article enumerated, the health officer and the members of the board of health may administer oaths on matters connected with the department, and shall have such other powers and authority as may be prescribed by ordinance of the city council or by general law. The city council shall provide for the maintenance of all indigent families during the continuance of their enforced quarantine.

Sec. 24. Council to Provide Penalties:—The city council shall pass all such ordinances, and provide therein such penalties as will carry out the intent and enforce the provisions of this article.

ARTICLE XI.

THE FIRE DEPARTMENT.

Section 1. **Fire Department, How Constituted:**—There shall be a fire department, which shall consist of a chief of the fire department, and as many subordinate officers and firemen as the city council shall from time to time by ordinance prescribe.

Sec. 2. **Appointment of Chief:**—The mayor shall appoint the chief of the fire department, and may remove him, in his discretion, upon filing a statement, in writing, of his reasons therefor with the city council. In case the chief of the fire department shall have been appointed from the classified civil service, he shall, upon retirement from the office

of chief, be entitled to resume his former position in the classified service; and the last appointee to the position from which said chief was appointed and the last appointees in positions subordinate thereto shall resume their former positions respectively in the classified civil service. (*As amended March 5, 1912.*)

Sec. 3. **Chief to Manage Department:**—The fire department shall be under the management of the chief of the fire department, except as otherwise provided by law or in this charter.

Sec. 4. **First. Rules for Fire Department:**—The mayor shall prescribe rules and regulations, not inconsistent with law and the ordinances of the city, for the government and control of the fire department, and fix and enforce penalties for their violation.

Second. Appointment of Subordinates:—The chief of the fire department shall, subject to the civil service rules, appoint subordinate officers and firemen.

Third. Monthly Statement and Estimate:—The chief shall make a monthly statement of expenditures of the department to the board of public works, and also furnish to said board an estimate of the needs of his department for the ensuing month with such recommendations as he may deem proper for the betterment of the service.

Fourth. Annual Report and Estimate:—The chief of the fire department shall make annually, or oftener if required by the council, or if he may deem best, a report to the city council of any municipal legislation by him deemed necessary to improve the condition and administration of the fire department, and shall report in like manner fully to the city council the business and condition of the fire department, showing the number of alarms responded to, the estimated loss by each

fire during the year, with the cause thereof, with such other information as he can furnish tending to throw light upon the advancement or improvement of the department and the necessities thereof; also an estimate of money required to pay salaries and expenses of the fire department for the ensuing fiscal year, specifying in detail the items for which the same will be required.

Fifth. Powers and Duties of Chief as Prescribed by Ordinance:—The chief shall have such further powers and be subject to such further duties as may be granted or imposed by the city council, except as otherwise in this charter provided.

Sixth. Inspection, Record and Report of Buildings Without Fire Protection:—It shall be the duty of the chief of the fire department to inspect and keep a record of all new buildings in course of erection in the city, and report to the city council any building in process of construction or completed without the fire protection and escapes prescribed by law.

Seventh. Record and Report of Conduct of Firemen:—The chief of the fire department shall keep a record of the conduct of men in the department, and send a copy of same monthly to the secretary of the civil service commission, keeping said record in accordance with the rules of and upon forms supplied by said commission.

ARTICLE XII.

THE HARBOR DEPARTMENT.

Section 1. Council to Control Harbor and Water Front:—The city council shall, unless otherwise prescribed by the laws of the state, exercise control and management of the harbor and water front of the City of Seattle, and shall, by ordinance, establish such rules and regulations as shall prevent any encroachment upon the tidal area of the same.

Sec. 2. Construction and Repair of Wharves:—The construction of all wharves which may be built by the city, and all repairs on the same, or other work done on the water front by the city, shall be performed by the board of public works, after proceedings had in the manner and form prescribed for the construction, improvement and repair of public buildings.

Sec. 3. Regulation of Wharves and Wharfage:—The city council shall, by ordinance, regulate the tolls for wharfage, dockage and other charges at all wharves, slips, docks and landing places within the city, and provide for the regulation of berths and landing of all steamers, sail vessels, barges or other water craft, and shall exercise in regard to all such wharves, slips, docks and landing places such other control not

herein specified as shall not be inconsistent with the laws of the United States and of the State of Washington.

Sec. 4. Wharves, Docks, Slips and Landing Places in Streets:—The city council may by ordinance order the construction of wharves, slips, docks or landing places upon any streets abutting upon or leading into any navigable waters within the city, which wharves, slips, docks and landing places, when so constructed, shall remain under the exclusive control of the city.

Sec. 5. Port Warden:—The mayor, by and with the advice and consent of the city council, shall appoint a port warden, who shall perform such duties not inconsistent with this charter, in relation to harbors and wharves, as may be prescribed by ordinance, and who shall be deemed the head of the harbor department.

ARTICLE XIII.

DEPARTMENT OF PARKS.

Section 1. Park Fund:—There shall be a park fund, which shall consist of—

First. Gifts:—Such gifts, bequests and devises as may be given, bequeathed or devised to the City of Seattle for the purpose of parks, parkways, boulevards, public squares, play or recreation grounds, or any ornamentation thereof.

Second. Fines and Licenses:—Ten per cent. of the gross receipts of the city from all fines, penalties and licenses.

Third. Rents:—The rents, issues and profits derived from any property which may be held or owned in trust for said city for squares, parks, parkways, boulevard purposes, and for play or recreation grounds.

Fourth. Appropriations:—Any appropriation that the city council may make for said fund from time to time.

Fifth. Tax Levy:—Such annual tax levy not less than three-quarters of a mill and not to exceed one mill on the dollar, as may be provided by the city council. (*Adopted March 8, 1904.*)

Sec. 2. Board of Park Commissioners; Eligibility; Appointment; Term; Compensation; Oath of Office; Organization:—There shall be five park trustees who shall constitute and be known as the board of park commissioners. No person shall be eligible for the office of park trustee

unless he shall have been for three years prior to the date of his appointment a bona fide resident and citizen of Seattle. The members of the present board of park commissioners shall serve as trustees hereunder until their respective term of office expires. Upon a vacancy by resignation, death or the expiration of the term of office, or otherwise, of any trustee, his successor shall be appointed by the mayor by and with the approval of a majority of the members of the city council, and where such trustee is appointed to fill a vacancy caused by death or resignation, he shall serve for the unexpired term of his predecessor. All trustees appointed upon the expiration of the term of office of any trustee shall serve for a term of five years from the first Monday in May of the year in which he was appointed or until his successor is selected and has qualified. Said trustees shall devote such time and attention to the duties of their office as an efficient performance thereof may demand and require, and their services shall be without compensation. Each trustee appointed or selected to serve upon said board before proceeding upon the duties of his office, shall qualify by making oath or affirmation before the city clerk. The trustees shall annually organize by selecting one of their members as president. (*Adopted March 8, 1904.*)

Sec. 3. Management, Control and Improvement of Parks; Concessions; Liquors; Exclusion of Traffic; Park Police:—The management and control of all the public squares and parks of the city and of all park drives, parkways, boulevards, play or recreation grounds of the city, are hereby vested in the board of park commissioners. It shall have power to designate lands and grounds to be used and appropriated for such purposes; to cause the same to be platted and surveyed and the plats thereof filed in the office of the board of public works, or in the office of the city engineer; to devise, adopt and lay out parks, squares, park drives, parkways and boulevards, play and recreation grounds in and adjacent to the city, and from time to time extend the same and add thereto; to grade, improve, ornament and maintain the same; to erect and maintain buildings, monuments and structures therein, and shall have power of censorship over any statuary, monuments or works of art that may be presented to the city, and shall in the name of the city accept all devises and bequests; to provide for securing, growing and maintaining trees; plants, flowers, zoological collections and other attractions therein; to grant concessions and privileges therein under such restrictions and for such compensation as it shall prescribe, the revenue of which shall go into the city park fund: Provided, That no such concession or privilege shall ever be granted for the sale of any intoxicating liquors in any public park, square, play or recreation ground, park drive, parkway or boulevard of the city. It may exclude from any or all the parks, squares, park drives, parkways and such boulevards as are principally used for pleasure driving, any vehicle or classes of traffic which in its judgment may be improper for or detrimental to the same, or injurious to the improvements therein; it may appoint or cause to be appointed policemen for the special enforcement therein of the park regulations of the city, to be known as park police, and to be paid out of the city park fund.

Designation of Streets as Park Drives and Boulevards; Payment of Damages:—The board shall have power to designate to the city council any street or highway of the city which it may desire to have widened, improved and selected as a park drive, parkway or boulevard, and the city council may thereupon, by ordinance, so select such street to be used for a park drive, parkway or boulevard, but before taking possession thereof for such purpose it shall take or cause to be taken proper proceedings as required by law for the ascertainment and payment to the proper parties of the damage, if any, which will result to the property to be affected thereby, and after the payment of such damages, or the lawful ascertainment that no damage will be caused thereby, such street or highway shall become and be for all purposes a park drive, parkway or boulevard, as may have been determined, and thereafter the same shall be subject to all rules and regulations as may from time to time be in force therefor. (*Adopted March 8, 1904.*)

Sec. 4. Purchase of New Parks; May Be Mortgaged; Terms of Mortgage:—Said board of park commissioners shall have power to designate from time to time to the city council, such property as it may desire the city to acquire for park, parkway, boulevard, squares, play or recreation ground purposes, and the city council may thereupon, by ordinance, authorize said board to acquire said property or may by ordinance direct that said land be condemned in the manner provided by law. Said city council may by ordinance authorize the board of park commissioners in the purchase of property for the purposes designated in this article, to, in the name of the city, give back a mortgage or mortgages to secure the unpaid purchase price; Provided, however, no personal or general liability on the part of the city shall be created by any such contract beyond the money then in the park fund available therefor; and provided further, that there shall be no express or implied agreement in any such mortgage nor any separate instrument given for the payment of the sums secured thereby, but the remedy of the mortgagee shall be confined to the property mortgaged. (*Adopted March 8, 1904.*)

Sec. 5. Improvement Before Title Acquired:—Before the city shall become possessed of an unincumbered title in fee to any property for park purposes, the board of park commissioners shall not in any one year expend in the improvement of such property more than ten per cent. of the cost thereof, nor shall it erect upon incumbered property any permanent structure. (*Adopted March 8, 1904.*)

Sec. 6. Annual Report:—The board of park commissioners shall annually on or before the 10th day of August of each year transmit to the mayor a detailed report of all work and improvements made during the year last expired in parks, parkways, boulevards, squares and play or recreation grounds of the city. (*Adopted March 8, 1904.*)

Sec. 7. Employes; Annual Estimate:—The board of park commissioners shall, subject to civil service regulations, have exclusive power

to employ and pay all such superintendents, employes and other persons as it may deem necessary for maintaining, improving and controlling all park property, and it shall, on or before the 10th day of August of each year, prepare and submit to the city council for approval and adoption, an estimate of the amount of money which may be required for the improvement and maintenance of parks, parkways, public squares, boulevards and play or recreation grounds for the succeeding year. (*Adopted March 8, 1908.*)

Sec. 8. Expending Park Fund; Clerk of Park Board; Expenditure of Vouchers:—The board of park commissioners shall alone have authority to expend the park fund, and the city clerk of the City of Seattle shall be clerk of the park board, and all expenditures on account of property or work designated in this article shall be made upon vouchers approved by the board of park commissioners through its president and secretary. Each voucher shall, when accompanied by a detailed statement of such expenditures, be certified to the city comptroller, who shall issue his warrant therefor to the city treasurer, and the same shall be paid by the treasurer out of any money in the park fund not otherwise appropriated. (*Adopted March 8, 1904.*)

Sec. 9. All parts of the charter of said City of Seattle in conflict with this amendment are hereby repealed. (*Adopted March 8, 1904.*)

ARTICLE XIV.

THE LIBRARY DEPARTMENT.

Section 1. Library Fund:—There shall be a library fund, which shall consist of—

First. Gifts:—Such gifts, bequests and devises as may be given, bequeathed or devised to the City of Seattle or any trustee for the uses or purposes of the Seattle Public Library.

Second. Fines and Licenses:—Ten per cent. of the gross receipts of the city from all fines, penalties and licenses.

Third. Rents:—The rents, issues and profits derived from any property which may be held or owned in trust for said library by the city or any other trustee.

Fourth. Appropriations:—Any appropriation that the city council may make for said fund from time to time.

Fifth. Tax Levy:—Such annual tax levy as the city council may provide. (*As amended March 7, 1902.*)

Sec. 2. Title to Property:—The title of all property belonging to the Seattle Public Library shall be and remain in the name of the city and shall be held inviolable in trust for the use and benefits of said library. *(As amended March 4, 1902.)*

Sec. 3. Library Board; Appointment; Terms:—There shall be seven library trustees, who shall constitute and be known as "The Library Board," and be the governing body of the library. The mayor, with the consent of the city council, shall appoint seven trustees, each of whom shall hold office for seven years without compensation, and be subject to removal by the mayor. The present library commission, together with two new commissioners to be appointed by the mayor, one for the term of six years and one for the term of seven years, beginning April 1st, 1902, shall be the first library board, and the present commissioners shall continue to hold office as such trustees until the first day of April next succeeding the expiration of their respective terms as commissioners, and the mayor shall hereafter annually appoint one trustee for the term of seven years, beginning on the first day of April, each year. *(As amended March 4, 1902.)*

Sec. 4. Librarian, Election of; Removal and Qualifications:—The librarian shall be elected by the board and subject to removal by it, and shall possess such qualifications with respect to experience, ability, citizenship, electoral capacity and residence as the board may require. Under civil service rules he shall, by and with the consent of the library board, have the appointment and removal of all subordinate employees of the library. *(As amended March 3, 1908. Cf. Am. 1902.)*

Sec. 5. Management of Library; Expenditures:—The library board shall have the management and control of the public library as provided by the laws of the State of Washington, and shall alone have authority to expend the library fund; and the board shall certify every such expenditure to the city comptroller, who shall issue his warrants therefor to the city treasurer, and the same shall be paid by the treasurer out of any money in the library fund, not otherwise appropriated. Except as herein provided, the powers and duties of the library board and the management of the public library shall be according to the other provisions of this charter, and the laws of said state. *(As amended March 4, 1902.)*

(Secs. 6 and 7, superseded by amendments of March 4, 1902.)

ARTICLE XV.

THE LAW DEPARTMENT.

Section 1. Officers; Appointment; Removal:—The law department of the City of Seattle shall consist of a corporation counsel, assist-

ant corporation counsel and a city attorney. The corporation counsel shall appoint the assistant corporation counsel and city attorney, and remove them at his pleasure.

Sec. 2. **Qualifications:**—The corporation counsel shall be an attorney of the supreme court of this state, and have been in the practice of his profession in the City of Seattle for at least four years next prior to his election.

Sec. 3. **Duties of Corporation Counsel:**—The corporation counsel shall have full supervisory control of all the litigation of the city, or in which the city or any of its departments are interested, and shall perform such other duties as are or shall be prescribed by ordinance.

Sec. 4. **Duties of Assistants and City Attorney:**—The assistant corporation counsel and the city attorney shall perform such duties as shall be required by the corporation counsel or by any ordinance of the city.

ARTICLE XVI.

CIVIL SERVICE DEPARTMENT.

Section 1. **Commissioners; Appointment; Terms; Vacancies; Politics; Reappointment; Quorum:**—The mayor shall appoint three persons who shall constitute and be known as the civil service commission, one for three years, one for two years and one for one year, from the first day of January, 1896; each year thereafter, the mayor shall in like manner appoint one person as the successor of the commissioner whose term of office shall expire with the preceding year, to serve as such commissioner for three years. Appointments to fill vacancies shall be for the unexpired term. All appointments to said commission, both original and to fill vacancies, shall be so made that not more than two members shall at the time of appointment be members of the same political party. Any commissioner whose term shall expire shall be eligible to reappointment. Two of said commissioners shall constitute a quorum.

Sec. 2. **Commissioners; Removal; Filling Vacancies:**—The mayor may, in his discretion, remove any commissioner, but the vacancy thereby created shall be filled by the city council. The mayor shall within five days report in writing any such removal to the city council with his reasons therefor, but the commissioner so removed shall have no right to a trial, hearing or appeal. Vacancies in the office of commissioner occurring in any other way than by removal by the mayor shall be filled by appointment by the mayor.

Sec. 3. **City Employees; Classification; Appointment:**—The commissioners shall classify all the offices and places of employment in the

city with reference to the examinations hereinafter provided for, except the offices and places mentioned in section 11 of this article. The offices and places so classified by the commission shall constitute the classified civil service of the City of Seattle; and no appointment to any such office or place shall be made except under and according to the rules hereinafter mentioned.

Sec. 4. Rules for Examination, Appointment, Promotion and Removal:—The commission shall make rules to carry out the purposes of this article, and for examinations, appointments, promotions and removals in accordance with its provisions, and the commission may, from time to time, make changes in the existing rules.

Sec. 5. Publication of Rules:—All rules made as hereinbefore provided, and all changes therein shall be forthwith printed for distribution by the commission, and the commission shall give notice by publication in the city official newspaper of the place where said rules may be obtained, and shall also give notice in such publication of the time when said rules shall go into operation, which shall not be less than ten days subsequent to the date of publication.

Sec. 6. Examinations; Subject Matter; Not Political or Religious; Appointment of Examiners; Commissioners May Act; Politics of Examiners; Examination Fee; Preference:—All applicants for offices or places in the classified civil service shall be subjected to examination, which shall be public, competitive and open to all citizens of the United States with specified limitations as to residence, age, health, habits and moral character. Such examinations shall be practical in their character and shall relate to those matters which will fairly test the relative capacity of the persons examined to discharge the duties of the positions to which they seek to be appointed, and shall include, when appropriate, tests of physical qualifications, health, and a manual or professional skill. No questions in any examination shall relate to political or religious opinion or affiliations. The commission shall control all examinations, and may, whenever an examination is to take place, designate a suitable number of persons, either in or not in the official service of the city, to be examiners, and if in the official service, it shall be a part of their official duty, without extra compensation, to conduct such examinations as the commission may direct and to make return and report thereof to the commission, and the commission may at any time substitute any other person, whether or not in such service, in the place of any one so selected. The commissioners may themselves act at any time as such examiners. The examiners at any examination shall not all be members of the same political party. Every applicant for examination, except laborers and applicants for promotion, shall pay to the city treasurer the sum of one dollar, and shall not be examined until he or she exhibits the treasurer's receipt therefor. Preference in employment shall at all times, subject to such examination, be given to citizens of the United States and electors of the city.

Sec. 7. Notice of Examinations:—Notice of the time and place and general scope of every examination shall be given by the commission by publication in the city official newspaper two weeks preceding such examination, and such notice shall also be posted by the commission in a conspicuous place in its office for two weeks before such examination. Such further notice of examination may be given as the commission shall prescribe.

Sec. 8. Register of Persons Examined; Rank; Preference:—From the returns or reports of the examiners, or from the examination made by the commission, the commission shall prepare a register for each grade or class of positions in the classified service of the city of the persons whose general average standing upon examination for such grade or class is not less than the minimum fixed by the rules of such commission, and who are otherwise eligible; and such persons shall take rank upon the register as candidates in the order of their relative excellence as determined by examination, without reference of priority of time of examination. Between candidates of equal standing, preference shall at all times be given to citizens of the United States and electors of the city.

Sec. 9. Promotion, Examination for:—The commission shall by its rules provide for promotions in the classified service, on the basis of ascertained merit and seniority in service and standing upon examination, and shall provide, in all cases where practicable, that vacancies shall be filled by promotion. All examinations for promotion shall be competitive among such members of the next lower rank established by the commission for each department as desire to submit themselves to such examination; and it shall be the duty of the commission to submit to the appointing power the names of not more than three applicants, having the highest rating, for each promotion. The method of examining and the rules governing the same and the method of certifying shall be the same, as near as may be, as provided for applicants for original appointment.

Sec. 10. Appointments in Classified Service; Notice of Vacancies; Certifying Eligibles; Number; Appointments on Probation; Inspection of Eligibles; Striking Names From Register; Discharge of Probationer; Emergency Appointments:—The head of the department or office in which the office classified under this act is to be filled shall notify the commission of any vacancy, and the commission shall certify to the appointing officer the names and addresses of the three candidates, if there shall be so many eligible, standing highest upon the register for the class or grade to which such position belongs, except that in cases of laborers where a choice by competition is impracticable, the commission may provide by its rules that selections may be made by lot from among those candidates proved fit by examination. Where there is more than one office to be filled, the commission may certify a less number than three for each office, and may also limit the number of times the same person may be certified. The appointing officer shall

notify the commission separately of each position to be filled, and shall fill such places by appointment from the persons certified to him by the commission therefor, which appointment shall be on probation for a period to be fixed by the rules. The appointing officer may require the person certified to come before him, and shall be entitled to inspect such person's examination papers. The commission may strike off the names of candidates from the register after they have remained thereon for a time to be limited by rule. Before the expiration of the period of probation the head of the department or office in which a candidate is employed may, by and with the consent of the commission, discharge him upon assigning in writing his reasons therefor to the commission. If he is not then discharged his appointment shall be deemed complete. To prevent the stoppage of public business, or to meet extraordinary exigencies, the head of any department may, with the approval of the commission, make temporary appointments to remain in force not exceeding sixty days, and only until regular appointments under the provisions of this article can be made.

Sec. 11. Officers Not in Classified Service:—The following city officers shall not be included in the classified civil service: All elective officers, the assistant corporation counsel, the city attorney, the city engineer, the superintendent of lighting and water works, the superintendent of streets, sewers and parks, the members of the board of health, the health officer, the employes of the health department other than sanitary inspector, the library commissioners, the park committee, the port warden, the judges, clerks and inspectors of election, the private secretary of the mayor, all clerks of the treasurer, one chief clerk of the comptroller, and the city comptroller for the first term under this charter hereinbefore made an appointive officer for that period shall also be excepted.

Sec. 12. Term of Office in Classified Service; Removal for Cause, Investigation; Reinstatement; Suspension; Power to Administer Oaths and Secure Evidence; Removal of Chief of Police:—Every officer or employe in the classified civil service shall hold office until removed or retired. Any officer or employe in such service may be removed by the appointing power only upon the filing with the commission of a statement in writing of the reasons therefor. Any officer or employe so removed may within ten days after his removal demand an investigation. The commission shall forthwith make such investigation and its finding and decision shall be certified to the appointing officer, and if the removal is not sustained thereby, the officer or employe so removed shall at once be reinstated. Nothing in this article shall limit the power of any officer to suspend without pay a subordinate for a period not exceeding thirty days. In the course of any investigation each member of the commission shall have power to administer oaths, and the commission shall have the power to require the attendance of any officer or employe or other person and the production of books and papers relevant to such investigation. The provisions of this section shall not apply to the removal of the chief of police.

Sec. 13. Notice and Record of Appointments, Transfers, Promotions, Resignations, Vacancies and Creation, Abolishment or Change of Compensation of Positions:—Immediate notice in writing shall be given by the appointing power to the commission of all appointments, permanent or temporary, made in the classified civil service and of all transfers, promotions, resignations or vacancies from any cause in such service, and of the date thereof, and a record of the same shall be kept by the commission. When any place of employment is created or abolished or the compensation attached thereto altered, such change shall be immediately reported in writing by the proper head of department to the commission.

Sec. 14. Investigations by Commission:—The commission shall investigate the enforcement of this article and of its rules and the action of the examiners herein provided for, and the conduct and action of the appointees in the classified service, and may inquire as to the nature, tenure and compensation of all offices and places in the public service. In the course of such investigations each commissioner shall have the power to administer oaths, and the commission shall have the power to require the attendance and testimony of any city officer or employe or other person, and the production of books and papers relevant to such investigation.

Sec. 15. Annual and Special Reports:—The commission shall, on or before the first day of January of each year, make to the mayor for transmission to the city council a report showing its own actions, the rules in force, the practical effects thereof, and any suggestions it may approve for the more effectual accomplishment of the purposes of this article. The mayor may require a report from the commission at any other time.

Sec. 16. Chief Examiner; Secretary; Labor Commissioner; Employment Office; Fees; Reports:—The commission shall employ a chief examiner to superintend any examination held under this article. He shall be secretary of the commission, and as such shall keep the minutes of its proceedings, preserve all reports made to it and keep a record of all examinations held under its direction and perform such other duties as the commission may prescribe. He shall be ex-officio labor commissioner for the city, and it shall be his duty as such, in addition to his duties as chief examiner and secretary of the civil service commission, to receive all applications for labor by persons desiring employment and by persons desiring to employ labor, and record their names, when requested, in a book to be kept for that purpose, designating opposite the name of each applicant the character of labor or employment desired and the address of such applicant. To prevent abuses the commission may require a deposit not to exceed twenty-five cents from each person applying for work or applying to employ labor. The commissioner of labor shall be under the direction and control of the civil service commission and shall make such reports, and at such times, and perform such other duties as the commission may require.

Sec. 17. Rooms; Public Employment Office; Bureau of Labor Statistics:—The city council shall allow the reasonable use of all public buildings or halls for the holding of examinations and for the meetings of the commission, and shall provide and furnish a suitable office or offices to carry out the purposes of this article. The office of the chief examiner and labor commissioner shall be known as the "Public Employment Office of the City of Seattle," and be centrally located, and a sign shall be maintained bearing such designation. Such office shall be a bureau of statistics of labor for the City of Seattle, and the commissioner of labor may, under the direction of the civil service commission, collect, arrange and systematize all statistics relating to the various branches of labor in the city and especially those relating to the commercial, industrial and social condition of the inhabitants.

Sec. 18. Salary and Expenses of Commissioners; Assistant Labor Commissioner:—The compensation of the civil service commissioners shall be \$100 per year each, payable quarterly; Provided, however, That after the first day of January, 1898, the city council may by ordinance increase their compensation. The city council shall provide for the expenses of the commission and for the maintenance of the public employment office, and may provide for an assistant or assistants to the labor commissioner.

Sec. 19. Frauds in Examinations, Appointments and Promotions:—No person or officer shall willfully or corruptly by himself or in collusion with one or more other persons, deceive or obstruct any person in respect to his or her right of examination, or corruptly or falsely mark, grade, estimate or report upon the examination or proper standing of any person examined hereunder, or aid in doing so, or willfully or corruptly make any false representation concerning the same or concerning the person examined, or willfully or corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospect or chances of any person so examined, or to be examined, to be appointed, employed or promoted.

Sec. 20. Receiving or Soliciting Political Contributions by Officers or Employees:—No officer or employe of the city shall solicit orally or by letter, or otherwise, or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription or contribution for any party or political purpose whatever.

Sec. 21. Soliciting Political Contributions From Officers or Employes in Public Offices:—No person shall in any room or building occupied for the discharge of official duties by any officer or employe of the city, solicit orally or by letter, or by written communication delivered therein, or in any other manner or place solicit or receive from any officer or employe of the city, appointed under civil service rules, any contribution or money or other thing of value for any party or political purpose whatever. No officer or employe of the city who may have charge or control of any building, office or room occupied by persons in

the employ of the city, shall permit any person to enter the same for the purpose of therein soliciting or delivering written solicitations or receiving or giving notice of any political assessment.

Sec. 22. Payment of Political Assessments by Officers and Employes:—No officer or employe in the service of the city, under civil service rules, shall directly or indirectly give or hand over to any person in the employ of or holding office under the city, county, state or national government any money or other valuable thing on account of, or to be applied to the promotion of any party or political object whatever.

Sec. 23. Punishment or Reward of Subordinates on Account of Politics:—No officer or employe of the city shall degrade, discharge or promote, or in any manner change the official rank or compensation of any other officer or employe, or promise or threaten to do so, for giving or withholding, or neglecting to make any contribution of money or any valuable thing for any party or political purpose, or for refusal or neglect to render any party or political service.

Sec. 24. Payment for Appointment or Promotion:—No applicant for appointment or promotion in the classified civil service shall either directly or indirectly pay or promise to pay any money or other valuable thing to any person whatever for or on account of his appointment, or promotion, or proposed appointment or promotion.

Sec. 25. Recommendations, Certain, Not to Be Received:—No applicant for appointment or promotion in the classified civil service shall ask for or receive any recommendation or assistance from any officer or employe in said service, or of any other person, upon consideration of any political service to be rendered to or for such person, or for the promotion of such person to any office or appointment. No recommendation by any officer, city, county, state or national, except as to character, residence or fitness of the applicant, shall be received or considered by any person concerned in any examination or appointment under this article, and no recommendation whatever shall be made by or received from the mayor.

Sec. 26. Giving or Promising Rewards for Political Services:—No person holding any office in the government of the city, or any nomination for, or while seeking a nomination for, or appointment to such office shall corruptly use or promise to use, either directly or indirectly, any official authority or influence, whether then possessed or merely anticipated, in the way of conferring upon any person, or in order to secure or aid any person in securing any office or public employment, or any nomination, confirmation or promotion, or increase of salary, upon the consideration or condition that the vote or political influence or action of the last named person shall be given or used in behalf of any candidate, officer or party, or upon any other corrupt condition or consideration.

Sec. 27. Appointments, Vacancies and Findings Certified to Comptroller:—The commission shall certify to the city comptroller all appointments to places and offices in the classified civil service, and all vacancies occurring therein, whether by death, retirement, resignation or dismissal, and all findings made or approved by the commission under the provision of section 12 of this article.

Sec. 28. Salary or Wages Not Paid Except to Those Lawfully Appointed:—The comptroller shall not approve of the payment of, nor shall the treasurer pay or be in any manner concerned in paying any salary or wages to any person for services as an officer or employe of the city, unless such person is occupying an office or place of employment according to the provisions of law and is entitled to payment therefor, nor shall the comptroller audit or allow the claim for services of any deputy or other person employed in the public service in violation of the provisions of this article.

Sec. 29. Penalties for Civil Service Appointees:—Any person in the service of the city by appointment under civil service rules who shall willfully or through culpable negligence violate any of the provisions of this article, and who shall be convicted thereof after a trial before the civil service commission, shall be dismissed from the service of the city and not be subject to reappointment.

Sec. 30. Penalties for Officers and Employes Not Under Civil Service, and Other Persons:—Any officer or employe of the city other than those holding office under the civil service rules, who shall willfully or through culpable negligence violate any of the provisions of this article, and who shall be convicted thereof, shall be fined in a sum not less than fifty dollars (\$50.00) and not exceeding one thousand dollars (\$1,000.00), and the office so held by such person by force of such conviction shall be rendered vacant and such person shall be incapable of holding any office or place of employment under the city thereafter. Any other person who shall willfully or through culpable negligence violate any of the provisions of this article, upon conviction thereof, shall be punished by a fine of not less than fifty dollars (\$50.00) and not exceeding one thousand dollars (\$1,000.00).

Sec. 31. Retirement on Account of Age:—The commission may fix by its rules the age at which a person in the service of the city, appointed under civil service rules, may be retired from service.

Sec. 32. Payment of Persons Disabled in Service; Medals of Honor:—Any person in the service of the city under civil service appointment who shall be disabled in the discharge of his duties, shall receive full pay during such disability not to exceed thirty days, and half pay not to exceed six months, or who shall be permanently injured or disabled while in the line of duty, shall receive pay while such disability continues, to be fixed by the city council, not exceeding twenty per cent. of the pay received by such person at the time of injury. The commission shall

prescribe such rules as may be necessary for carrying out the purposes of this section, and may provide a suitable medal of honor for distinguished bravery or service while in the line of duty.

Sec. 33. Vacations:—The head of any department may grant fifteen days' vacation with pay in any one year to any person or employee in the civil service of the city.

Sec. 34. Use of Intoxicants by Officers and Employes:—No person habitually using intoxicating beverages to excess shall be appointed to or retained in any office, appointment or employment to which the provisions of this article are applicable.

Sec. 35. Present Employes Under Rules:—All persons other than those designated in section 11 of this article, holding office or employment under the city at the time of the adoption of this charter, shall be required by the civil service commission to take the civil service examination. Any person who shall not take the civil service examination within six months after the adoption of this charter shall be removed by the appointing power, and shall not be entitled to any of the benefits herein provided for persons holding office by appointment under civil service rules.

ARTICLE XVII.

SALARIES AND BONDS.

Section 1. Mayor, Corporation Counsel, Treasurer, City Comptroller; Salaries of:—The mayor shall receive an annual salary of \$7,500.00. The annual salaries of the following officers of the city shall be as follows: Corporation counsel, \$4,800.00; treasurer, \$4,200.00; city comptroller and ex-officio city clerk, \$4,200.00. (*As amended March 5, 1912. Cf. Am. 1900-1908.*)

Sec. 2. No Compensation Except Salary; No Increase During Term:—No officer or employe of the city shall receive any compensation for his service as such officer or employe except by salary, which, when not prescribed by this charter, shall be fixed by the city council by ordinance. All salaries shall be paid at such times and in such manner as may be prescribed by ordinance. The salary of an appointive or elective officer shall not be increased after his appointment or election, or during the term for which he shall have been appointed or elected. (*As amended March 5, 1912.*)

Sec. 3. Official Bonds; Sureties; Approval; Amounts:—All salaried officers of the city other than policemen, detective officers and firemen shall, before they enter upon the discharge of their official duties, give approved bonds, conditioned on the faithful performance of such official duties, which sureties shall be freeholders within this state and residents

SECTION I, ARTICLE XVIII.

Section 1. (*As adopted March 4, 1913.*) **Elections; General and Special:**—There shall be held in this city on the first Tuesday following the first Monday in March, a general municipal election.

Such election shall be held biennially, in the even numbered years, as to the mayor and all other elective officers, with the exception of councilmen; said general municipal election for the election of councilmen and the submission of charter amendments and other propositions shall be held annually. Special election shall be held at such times and for such purposes as the City Council may, by ordinance prescribe, subject to such limitations and pursuant to such requirements as are provided in this charter or in the laws of the State of Washington.

Subdivision A. **Nominations:**—Nominations for municipal elective offices under this charter shall be made in conformity with the non-partisan method hereinafter prescribed and provided, to-wit:

First. **Primary Election:**—A primary or first election shall be held on the Tuesday two weeks preceding the day of any general municipal election. Whenever said Tuesday shall fall upon any legal holiday, the primary shall be held on the Monday immediately preceding the same.

Second. **Ballots; How Printed:**—All names of candidates to be voted upon at the primary election shall be printed upon the official primary ballot alphabetically in groups under the designation of the respective titles of the offices for which they are candidates.

Nothing on the ballot shall be indicative of the source of the candidacy or of the support of any candidate. No ballot shall have printed thereon any party or political designation or mark, and there shall not be appended to the name of any candidate any such party or political designation or mark, or anything indicating his views or opinions.

All ballots printed shall be of precisely the same size, quality, tint of paper, kind of type and color of ink, so that, except for the consecutive numbers printed on the perforated corners for removal when the ballots are voted as provided by general law, it shall be impossible to distinguish one ballot from another. The ballot shall be substantially in the following form:

Primary Election, City of Seattle..... 19.....

Official ballot for use inPrecinct (designation of precinct to be printed or stamped).

Instructions to voters:

To vote, place a cross (X) mark in the square following opposite the name of the candidate for whom you desire to vote. Or you may write in the blank space provided below each group, the name of any person or persons for whom you desire to vote; or attach a paster bearing the printed name of any such person or persons. Any distinguishing marks except as above indicated are forbidden and make the ballot void. If you

SECTION 1, ARTICLE XVIII.

appear upon the ballot, together with a list of the offices to be filled, and the same shall be published at least three consecutive days before the election in the city official newspaper.

Sixth. Provisions of State Law and City Charter Applicable:—All the provisions of this charter and of the state law relating to the holding of general municipal elections, in so far as they pertain to the qualifications of electors, the designation of voting places and election officers, the conduct of the election, the canvassing of the votes and making the returns thereof, and the closing of saloons on the day of election, shall apply with equal force to the primary election.

Canvass of Returns:—On the first Friday evening after the primary election the City Council shall at seven o'clock, meet and proceed to canvass the returns thereof, and shall ascertain and declare the names of the two candidates for each office who at the primary election have received the highest votes for such office, except the office of councilman, and in the case of office of councilman, the names of the candidates, in number equal to twice the number of councilmen to be elected, who have received the highest votes at the primary election, and such persons shall be deemed to be the nominees for the respective offices, between whom the choice will be made at the ensuing general election. In case of any tie vote affecting nominations, both or all persons receiving such tie vote shall be nominees.

Subdivision B. Comptroller Shall Publish List of Nominees:—The city comptroller immediately after the canvass of returns of the primary election shall certify a list of the nominees for the respective offices, and the same shall be published in the official newspaper of the city. In the event of the death, withdrawal, removal or other disqualification of any nominee for any office at any time prior to the printing of the ballots, the name of the person receiving the next highest vote for that office at the primary election shall be substituted therefor. The comptroller shall also prepare the official ballots and print and distribute them for the general election, with the names of the respective nominees printed thereon, conforming in all respects to the requirements for ballots hereinbefore prescribed as respecting the primary election, except that the names of nominees shall be printed in each group on the ballot in the order of the number of votes they received at the primary election, the nominee receiving the highest vote at the top in each group, and there shall be no rotation of the names in the printing of the ballots. A blank line shall be left below the names of the printed nominees for each office, wherein the voter may write or paste in the name of any person for whom he may desire to vote.

thereof, and worth double the sum for which they become liable on such bonds over and above all just debts and liabilities in unincumbered property situated within this state, which is not exempt from execution and forced sale; Provided, That the suretyship of approved surety corporations may be accepted in lieu of individual sureties. All official bonds must be approved by a majority of the auditing committee in open session. The amounts of all such bonds, except as otherwise provided in this charter, shall be as fixed by the city council by ordinance.

Sec. 4. Condition of Bond of Chief of Police:—It shall be one condition of the bond of the chief of police that he shall pay all such actual damages as may be sustained by any person arrested without a warrant by reason of any false or unlawful imprisonment by or under the direction of such chief of police.

ARTICLE XVIII.

ELECTIONS.

Section 1. Elections; General and Special:—There shall be held in this city on the first Tuesday following the first Monday in March, a general municipal election. Such election shall be held biennially, in the even-numbered years, as to the mayor and all other elective officers, including members of the city council, for the terms provided for in this city charter; Provided, however, That in the event of the adoption of the amended section 2, article IV., of this charter (submitted to the vote of the people March 8, 1910), said general municipal election for the election of members of the city council and the submission of charter amendments and other propositions, shall be held annually, beginning with March, 1911; but if said amendment be not adopted, such election shall be held in March, 1912, and biennially thereafter. Special elections shall be held at such times and for such purposes as the city council may by ordinance prescribe, subject to such limitations and pursuant to such requirements as are provided in this charter or in the laws of the State of Washington; Provided, That at least twenty days' notice shall be given of the time, place and purpose of any special election, by posting notices and making official publication thereof.

Subdivision A. Nominations:—Nominations for municipal elective offices under this charter shall be made in conformity with the non-partisan method hereinafter prescribed and provided, to-wit:

First. Primary Election:—A primary or first election shall be held on the Tuesday two weeks preceding the day of any general municipal election. Whenever said Tuesday shall fall upon any legal holiday, the primary shall be held on the Monday immediately preceding the same.

Second. Ballots; How Printed:—All names of candidates to be voted upon at the primary election shall be printed upon the official primary ballot in groups under the designation of the respective titles of

the offices for which they are candidates. Nothing on the ballot shall be indicative of the source of the candidacy or of the support of any candidate. No ballot shall have printed thereon any party or political designation or mark, and there shall not be appended to the name of any candidate any such party or political designation or mark, or anything indicating his views or opinions. All ballots printed shall be of precisely the same size, quality, tint of paper, kind of paper, kind of type and color of ink, so that (except for the consecutive numbers printed on the perforated corners for removal when the ballots are voted, as provided by general law), it shall be impossible to distinguish one ballot from another. The ballot shall be substantially in the following form:

Primary election, City of Seattle, to be held....., 19.....

Official Ballot for use in (designation of precinct to be printed or stamped).

Instruction to voters:

To vote, place a cross (X) mark in the square following opposite the name of the candidate for whom you desire to vote. Or you may write in the blank space provided below each group, the name of any person or persons for whom you desire to vote; or attach a paster bearing the printed name of any such person or persons. Any distinguishing marks except as above indicated are forbidden and make the ballot void. If you wrongly mark, tear or deface the ballot, return it to the election officers and obtain another.

Underneath the above heading and instructions shall be arranged in separate columns, the titles of the respective offices to be voted for, and under each title the names of the candidates therefor, in the following manner, viz.:

For Mayor (Vote for one)

(Name)
(Name)
(Name)
(Name)

For Councilmen (Vote for)

(Name)
(Name)
(Name)
(Name)

For Comptroller (Vote for one)

(Name)
(Name)
(Name)
(Name)

Squares shall be provided at the right of the name of each candidate, wherein to place the cross (X) mark, and at the bottom of each group of names shall be provided at least one blank line, with the square at the right of the same, for us in writing or pasting in any name and voting therefor.

In printing the names of candidates in the group under each official title, the names shall first be arranged one beneath the other in alphabetical order. In printing the ballots, the position of the names of candidates shall be changed in each official division or group, as many times as there are candidates in the official division or group having the most names. As nearly as possible, an equal number of ballots shall be printed in each of these changes of position of the names. In making the changes of position, the printer shall take the line of type at the head of each official division or group of names, and place it at the bottom of said division, and shove up the column of names so that the name that before was second, shall be first, after the change. When the ballots are printed they shall be kept in separate piles, one pile for each change of position, and they shall then be gathered by taking one ballot from each pile in rotation until all are gathered. There shall be no printing upon the back of the ballots or any mark to distinguish them. After the ballots have been gathered as above provided, they shall be printed or stamped for the respective precincts in which they are to be used, and they shall be numbered consecutively for use in each precinct, said numbering to be perforated and torn off by the election officers on the voting of the ballot.

Space shall be provided on the ballot for charter amendments and other questions or propositions to be voted upon at the municipal election, as provided by this charter or the laws of the state.

Quantity of Ballots to be Same as at Other Elections:—The city comptroller (ex-officio city clerk) shall cause a sufficient number of official ballots to be printed as hereinbefore prescribed and distributed to the election officers for use in the respective voting precincts throughout the city, in the same manner as required by law for other elections.

Sample Ballots:—At least five (5) days before the election, the city comptroller shall cause to be printed five thousand or more sample ballots, upon paper different in color, but otherwise identical with the ballot to be used at the election; except that the words "Sample Ballot" shall be printed across the head of the same, and the numbering designation of precincts, and rotation of names shall not be necessary in printing said sample ballots.

Third. Name of Candidate by Petition to be Placed on Ballot:—The name of a candidate shall be printed upon the ballot prepared for the primary election, when a petition of nomination shall have been filed in his behalf in the manner and form and under the conditions hereinafter set forth, viz.: The petition of nomination shall consist of not less than twenty-five (25) individual certificates, which shall read substantially as follows:

PETITION OF NOMINATION.

Individual Certificate.

I do hereby join in a petition for the nomination of.....
, whose residence is at No.
 Street, Seattle, for the office of.....to be voted for
 at the next ensuing general municipal election to be held in the City of
 Seattle; and I certify that I am a qualified elector, and am not at this
 time a signer of any other certificate nominating any other candidate
 for the above office (**or in case of councilmen where more than one is to
 be elected**) that I have not signed more certificates than there are coun-
 cilmen to be elected at said election; that my residence is at No.
Street, Seattle.

I further certify that I join in this petition for the nomination of
 the above named person, believing that he has not become a candidate
 as the nominee or representative of, or because of any promised support
 from any national or state political party, or any committee or conven-
 tion representing or acting for any such political party.

(Signed)

STATE OF WASHINGTON, }
 City of Seattle, } ss:
 County of King. }

....., being first duly sworn, deposes and
 says that he is the person who signed the foregoing certificate, and that
 the statements therein are true.

(Signed)

Subscribed and sworn to before me this.....day
 of....., A. D. 19.....

(Signed)

Notary Public in and for the State of Washington residing at Seattle.
 (Notarial Seal)

The petition of which this certificate forms part shall, if found de-
 fective or insufficient, be returned to.....
 at No.Street, Seattle, Washington.

It shall be the duty of the city comptroller (ex-officio city clerk) to
 provide, and furnish upon application, a reasonable number of forms of
 such individual certificates. Each certificate must be a separate paper.
 All certificates must be of a uniform size as determined by the city comp-
 troller. Each certificate must contain the name of one signer thereto,
 and no more. In case an elector has signed two or more conflicting cer-
 tificates, all shall be rejected. Each signer must make oath to his cer-
 tificate before a notary public, substantially in the form hereinbefore
 prescribed.

Fourth. **Petition of Nomination:**—A petition of nomination, con-
 sisting of not less than twenty-five individual certificates for any one

candidate, may be presented to the city comptroller not earlier than sixty, nor later than thirty days before the primary election. The city comptroller shall endorse thereon the date upon which the petition was presented to him. When any such petition of nomination is presented to the city comptroller for filing, he shall forthwith examine the same and ascertain whether it conforms to the provisions of this article of the city charter. If found not to conform thereto, he shall then and there designate on said petition the defect or omission or other reason why such petition can not be filed, and shall forthwith return the petition to the person named thereon as the person to whom the same shall be returned. The petition may then be amended, and again, but not later than three days thereafter, presented to the city comptroller, as in the first instance, and he shall forthwith proceed to examine the amended petition as hereinbefore provided. If either the original or amended petition of nomination be found sufficiently signed as hereinbefore provided, the city comptroller shall file the same forthwith and forthwith notify by mail the person so nominated.

Fifth. Person Nominated to File Acceptance or Declination:—Any person nominated under this article shall file his acceptance with the city comptroller within ten days from the filing of the petition of nomination and the mailing of his notification thereof, and in the absence of such acceptance the name of the candidate shall not appear on the ballot. In said acceptance (a form wherefor shall be prepared by the city comptroller, and a copy thereof mailed with the notification of the filing of a petition for his nomination to each candidate), he shall make affidavit to the fact that he has not become a candidate as the nominee of, or because of any promised support from any national or state political party or any committee or convention representing or acting for any such political party. Any person whose name has been presented under this article as a candidate may, not later than fifteen days before the primary election, cause his name to be withdrawn from nomination by filing with the city comptroller a request therefor in writing, and no name so withdrawn shall be printed upon the official ballot. The city comptroller shall preserve in his office for a period of three years all petitions for nominations, certificates and withdrawals filed under the provisions of this article.

Sixth. List of Candidates to be Certified:—The city comptroller (ex-officio city clerk) shall, on the tenth day before the primary election, certify a list of the candidates nominated for the respective offices whose names are entitled to appear upon the ballot, as being the list of candidates nominated as required by this charter, together with a list of the offices to be filled, and the same shall be published at least three consecutive days before the election, in the official newspaper of the city, and posted in the vicinity of each precinct polling place.

Seventh. Provisions of City Charter and State Law Applicable:—All the provisions of this charter and of the state law relating to the holding of general municipal elections, including the qualifications of electors, the designation of voting places and election officers, the notice of election, the conduct of the election, the canvassing of the votes and making the returns thereof, and the closing of saloons on the day of election, shall apply with equal force to the primary election.

Canvass of Returns:—On the first Friday evening after the primary election, the city council shall, at eight o'clock, meet and proceed to canvass the returns thereof, and shall ascertain and declare the names of the two candidates for each office who at the primary election have received the highest votes for such office except the office of councilman, and in the case of office of councilman, the names of the candidates, in number equal to twice the number of councilmen to be elected, who have received the highest votes at the primary election, and such persons shall be deemed to be the nominees for the respective offices, between whom the choice will be made at the ensuing general election. In case of any tie vote affecting nominations, both or all persons receiving such tie vote shall be nominees.

Subdivision B. Comptroller Shall Publish List of Nominees:—The city comptroller, immediately after the canvass of the returns of the primary election, shall prepare and officially publish and post a supplementary notice of the general municipal election, with the names of the nominees for the respective offices, and any other matters to be voted upon at said election. In the event of the death, withdrawal, removal or other disqualification of any nominee for any office at any time prior to the printing of the ballots, the name of the person receiving the next highest vote for that office at the primary election shall be substituted therefor. The comptroller shall also prepare the official ballots and print and distribute them for the general election, with the names of the respective nominees printed thereon, conforming in all respects to the requirements for ballots hereinbefore prescribed as respecting the primary election, except that the names of nominees shall be printed in each group on the ballot in the order of the number of votes they received at the primary election, the nominee receiving the highest vote at the top in each group, and there shall be no rotation of the names in the printing of the ballots. A blank line shall be left below the names of the printed nominees for each office, wherein the voter may write or paste in the name of any person for whom he may desire to vote. (*As amended March 8, 1910.*)

Sec. 2. Qualifications of Voters:—The qualifications of voters at all elections shall be as provided in article six of the constitution of the State of Washington, and not otherwise.

Sec. 3. Designation of Voting Places; Appointment of Election Officers:—At least twenty days prior to any election, the city council shall designate one place of voting in each precinct and shall appoint such judges and inspectors for each place of voting as may be required by the general laws of the state for state and county elections.

Sec. 4. Voting by Ballot; Time Polls Open; Conduct of Elections:—At all elections the vote shall be by ballot, and the polls shall be opened at eight o'clock a. m., and close at eight o'clock p. m. The manner of conducting and voting at elections under this charter, opening and closing of polls, keeping the poll lists, canvassing the votes, declaring the

result and certifying the returns, shall be the same as provided by the laws of this state for the state and county elections therein; except as otherwise provided in this charter. (*As amended March 5, 1912.*)

Sec. 5. Notice of Election:—The city clerk, under the direction of the city council, shall give thirty days' notice by posting at each voting place in the city, a notice of the time and place of holding each election, and the officers to be elected, or measure to be submitted, and in all cases notices shall be published in the city official newspaper for at least ten days next preceding such election, of the time, place and purpose of such election.

Sec. 6. Registration Books and Poll Lists:—It shall be the duty of the city clerk to cause to be made out and delivered at each voting place, by the time fixed by law for the opening of the polls, on the day of each election, all necessary books and lists required by the general laws of the state, for holding such elections.

Sec. 7. Canvass of Votes and Returns:—Immediately after the closing of the polls, the judges and inspectors of election shall then and there, without removing the ballot box from the place where the ballots were cast, proceed to canvass the votes, and as soon as such canvass is completed a return thereof shall be signed by the judges and inspectors, securely enveloped and sealed, and delivered to the city clerk by one of their number, not more than twelve hours after the same are so sealed.

Sec. 8. Canvass of Returns; Declaration of Result; Deciding Ties; Certificates of Election:—On the first Friday evening after the election the city council shall, at seven o'clock p. m., meet and proceed to canvass the returns of such election, and shall thereupon declare the result, and what persons are elected, and in case of a tie vote for any office shall decide by lot which person having the highest and equal number of votes shall be elected to such office. A statement of such canvass shall be made out and signed by the chairman of the council and filed with the city clerk, who, within three days thereafter, shall make out and cause to be delivered to each person elected a certificate of election.

Sec. 9. Election Contests:—A certificate of election shall be prima facie evidence of the facts therein stated, but the city council shall decide all questions as to the qualifications and election of its own members, and in all cases of contested election for any office the contest shall be decided by the city council according, as nearly as may be, to the laws of the state regulating proceedings in cases of contested elections for county officers.

Sec. 10. Submitting Questions to Voters:—Whenever any question is to be submitted to the electors of the city and the method of such submission is not specially provided by this charter or by general law, the same may be submitted at either a general or special election, and the method of submission shall be substantially as follows: The city

clerk shall prepare a notice containing the proposition in full, and shall cause the same to be posted as provided in section five of this article, and to be published in full in the city official newspaper for thirty days next preceding the day of election, and the ballots at such election shall contain such statement of the proposition as shall be prescribed by ordinance.

Sec. 11. Terms of Office; Removal by Recall:—The term of all elective officers of the City of Seattle shall be two years (except councilmen-at-large, which will be four years), unless removed by a method hereinafter provided. In case of the removal of any such officer by the method hereinafter provided, the successor of said officer shall hold office for the remainder of the unexpired term, unless said successor is removed by the method hereinafter provided.

Petition; Signatures; Contests; Affidavits; Checking; Submission to Council:—The procedure to effect the removal of an incumbent of an elective office shall be as follows: A petition signed by voters entitled to vote for a successor to the incumbent, equal in number to at least 25 per centum of the entire vote for all candidates for the office, the incumbent of which is sought to be removed, cast at the last preceding general municipal election, demanding an election of a successor of the person to be removed, shall be filed with the city clerk; Provided, That the petition sent to the council shall contain a general statement of the grounds for which the removal is sought. The signatures to the paper need not all be appended to one paper, but each signer shall add to his signature his place of residence, giving the street and number. Any person competent to make affidavit may circulate such petition. The person circulating each such paper shall make oath before an officer competent to administer oaths, that the statements therein made are true, and that each signature to the paper appended is the genuine signature of the person whose name purports to be thereunto subscribed. Within ten days from the date of filing such petition the city clerk shall examine the register and therefrom ascertain whether or not said petition is signed by the requisite number of qualified voters; and, if necessary, the council shall allow him extra help for that purpose; and he shall attach to said petition his certificate showing the result of said examination. If, by the clerk's certificate, the petition is shown to be insufficient, it may be amended within ten days from the date of said certificate. The clerk shall, within ten days after such amendment, make like examination of the amendment to the petition, and if his certificate shall show the same to be insufficient, it shall be returned to the person filing the same without prejudice to the filing of a new petition to the same effect. If the petition shall be found to be sufficient, the clerk shall submit the same to the council without delay; and thereupon the city council shall order and fix a date for holding said election, not less than thirty days nor more than forty days from the date of the clerk's certificate to the council that a sufficient petition is filed.

Recall Election; Term of Successor; Incumbent a Candidate:—The city council shall make or cause to be made publication of notice, and

SECTION 12, ARTICLE XVIII.

Section 12. (*Adopted March 4, 1913.*) **Candidate to File Itemized Statement of Expenses:—**Every candidate for nomination to any elective office, and every person nominated to any such office, under the charter of the City of Seattle, shall, within ten (10) days after the day of holding the primary election at which he is a candidate or the election at which he is elected, file an itemized statement in writing, upon a suitable form to be furnished by the city comptroller, duly sworn to as to its correctness, with the officer with whom his declaration of candidacy or other nomination paper is filed, setting forth each sum of money and thing of value, or any consideration whatever, contributed, paid or promised by him, or any one for him, with his knowledge or acquiescence, for the purpose of securing or influencing in any way affecting his nomination or election to said office. Said statement to set forth the sums paid as personal expenses and stating fully the nature, kind and character of the expense for which the sums were expended separately, and the party or parties to whom the sums were paid and the purposes for which such payments were made, and in this statement all sums or other considerations promised and not paid shall be included. Such statement, when so filed shall immediately be subject to the inspection and examination of any elector, and shall be and become a part of the public record.

Proof of violation hereof shall disqualify such candidate or nominee from holding such office.

all arrangements for holding of such election; and the same shall be conducted, returned and the result thereof declared, in all respects, as are other elections. The successor of any officer so removed shall hold office during the unexpired term of his predecessor. Any person sought to be removed may be a candidate to succeed himself, and unless he requests otherwise in writing, the clerk shall place his name on the official ballot without nomination. In any such election the candidate receiving the highest number of votes shall be declared elected.

Largest Vote Elects; To Qualify; Vacancy:—At such election, if some other person than the incumbent receives the highest number of votes, the incumbent shall thereupon be deemed removed from the office upon the qualification of his successor. In case the party who receives the highest number of votes should fail to qualify within ten days after receiving notification of election, the office shall be deemed vacant. If the incumbent receives the highest number of votes he shall continue in office.

Repealing Clause:—All parts of the charter of said City of Seattle in conflict with this amendment are hereby repealed. (*As adopted March 6, 1906.*)

ARTICLE XIX.

OFFICERS, TERMS AND VACANCIES.

Section 1. **Elective Officers:**—The elective officers of the City of Seattle shall be: A mayor, a comptroller, who shall be ex-officio city clerk, a corporation counsel, a treasurer, and the members of the city council.

Sec. 2. **Appointive Officers:**—The appointive officers of the City of Seattle shall be: A city engineer, a superintendent of streets, sewers and parks, a superintendent of lighting and water works, an assistant to the corporation counsel, a city attorney, a commissioner of labor, a health officer, a sanitary inspector, three members of the board of health, a boiler inspector, a port warden, a librarian, five library commissioners, a chief of police, a chief of the fire department, three civil service commissioners, a secretary of the board of public works, five park committeemen, and such other officers as the electors of the city, at any general election upon submission of the council, may authorize the council to create.

Sec. 3. **Qualification of Elective Officers and of Officers Appointed by Mayor:**—All elective officers of the city shall possess the following qualifications: They shall be citizens of the United States and of the City of Seattle and electors therein, and shall be able to read and write the English language, and shall have such other qualifications as are prescribed in this charter. All officers appointed by the mayor, shall be recognized experts in such work as may devolve on the incumbents

of such offices, or persons specially fitted by education, training or experience to perform the same, and shall be appointed without regard to party affiliation or to residence at the time of appointment. (*As amended March 5, 1912.*)

Sec. 4. Terms of Appointive Officers:—Unless otherwise expressly provided in this charter, and expressly subject to the provisions of article XVI. thereof, the term of every appointive officer shall expire at the same time at which the terms of the elective officers for the current term shall expire.

Sec. 5. Terms of Elective Officers; Qualifications and Commencement of Term:—The term of every elective officer under this charter, except councilman shall be for two years. Every person elected shall qualify on or before the second Saturday after his election, and his term of office shall commence at 12 o'clock, noon, on the second Monday after the canvass of the election by the city council.

Sec. 6. Oath of Office; Official Bond; Vacancies:—Every councilman and every other officer of the city, and each of his assistants, before entering upon the duties of his office, shall take and subscribe an oath or affirmation before some person authorized to administer oaths, that he possesses all the qualifications prescribed for his office by this charter; that he will support the constitution of the United States, and of the State of Washington, and the charter and ordinances of the City of Seattle; that he will faithfully comply with and abide by all the requirements of section 13 of this article, and that he will faithfully demean himself in office. Every officer of the corporation, when so required by law or ordinance, shall, before entering upon the duties of his office, and within ten days after his election or appointment, give bond to the city in such sum as shall be designated by ordinance or otherwise, conditioned for the faithful performance of his duties, and that he will pay over all moneys belonging to the city, as provided by law. And if any person elected or appointed to any office shall fail to take or subscribe such oath or affirmation, or to give bond, as herein required, his office shall be deemed vacant.

Sec. 7. Vacancies; Failure to Qualify; Death; Removal; Resignation; Removal From City; Absence Without Leave; Insanity; Conviction of Drunkenness; Permanent Disability:—An office becomes vacant on failure to qualify within the time limited by the charter, upon the death or removal from office or resignation of the incumbent, or his removal from or absence from the city for sixty days without leave of the city council, or upon an adjudication of insanity by a court of competent jurisdiction; by a conviction of drunkenness, or by any permanent disability, preventing the proper discharge of his duty.

Sec. 8. Vacancies; How Filled:—If any appointive office become vacant, the same shall, except as is otherwise provided in this charter,

be filled in the same manner as if at the beginning of the term, and the person appointed to fill the vacancy shall hold for the unexpired term. If any elective office become vacant, the city council shall, within twenty days thereafter, proceed to elect by ballot a person to fill such vacancy who shall possess the qualifications of the original incumbent; Provided, That if any such office shall not be filled within the time above limited, the city council shall meet and ballot at least once each day until such vacancy shall have been filled. Persons elected to fill vacancies in elective offices shall hold the office until the next regular city election, and at such election a person shall be elected to hold the office for the remainder of the term. Persons elected to fill vacancies shall qualify within the same time after their election and in the same manner as prescribed for persons elected for full terms.

Sec. 9. Suspensions and Removals; Temporary Vacancies:—Any elective officer other than a member of the council may be suspended by the mayor and removed for cause by the council, as hereinafter provided and the mayor shall temporarily fill the vacancy, except as hereinafter provided. Any officer appointed by the mayor may be removed by him, except as otherwise provided in this charter, upon filing with the city council a statement of his reasons therefor. Any member of the council may be suspended or removed by the council as hereinafter provided.

Sec. 10. Suspension of Elective Officers; Notice; Meeting of Council; Charges; Hearing:—Whenever the mayor shall suspend any elective officer he shall immediately notify the city council of such suspension and the cause thereof, and shall forthwith call a meeting of the council, at which he shall present charges against such suspended officer. The accused shall be furnished with a copy of the charges, and shall have a right to appear with counsel and make his defense. The city council shall speedily try such officer on such charge, and for that purpose shall have power to adjourn from time to time until the trial shall be completed, to summon and compel the attendance of witnesses, to hear their testimony, to receive other evidence, and to hear the arguments of counsel.

Suspension of Councilmen; Charges; Trial; Removal; Election of Successor:—In case of the suspension of a member of the city council by that body, the member so suspended shall be tried in like manner as herein provided for the trial of officers suspended by the mayor, except that the charges may be preferred by any elector or member of the city council. In either case, the president of the city council shall preside at such trial, and in his absence or disability the acting president: If two-thirds of all the members of the city council shall by resolution find the accused guilty, then the suspended officer shall thereby be removed from office. The successor of any officer so removed, if elected by the council, shall be chosen from the same political party as the officer removed.

Sec. 11. Elective Officers to Hold Over:—Every elective officer shall hold office until his successor is elected and qualified, except as otherwise in this charter provided.

Sec. 12. Appointive Officers to Hold Over:—Every appointive officer shall hold office until his successor is appointed and qualified, except as otherwise in this charter provided.

Sec. 13. Officers Not to Hold Other Office, Exceptions; Not Interested in Contracts; Not to Accept Passes; Forfeiture of Office; Forfeiture of Salary; Recovery of Forfeited Salary:—No head of department or other elective or appointive officer, councilman or member of any board, commission or bureau, created by or under this charter, except policemen or firemen, shall hold any other office, federal, state, county or municipal, except in the National Guard or as a notary public, or be an employe of the city or any other department, commission, board, bureau, institution, or office of the city government; or be directly or indirectly interested in any contract with the city, or with or for any department, institution, board, bureau, officer, agent or employe thereof, for the use of the city, or become surety for the performance of any such contract. Nor shall any officer accept from any railroad or street railroad corporation, operating in whole or in part within the city, any pass or free transportation, or transportation upon any terms save such as are open to the public generally. The violation of any of the provisions of this section shall work a forfeiture of the office of the officer violating the same, and warrant his removal from office by impeachment or other proper procedure. Any such officer guilty of accepting such pass, free transportation, or transportation upon terms not open to the public generally, shall, in addition to forfeiting his office as above provided, forfeit to the city all sums of money paid him by the city as salary during the term in which he shall be guilty of such misconduct, up to the time of the recovery of judgment thereof against him therefor; and a civil action for the recovery thereof may at any time be commenced in the name of the city by the corporation counsel upon complaint verified by any citizen of the city.

Elective Officers Not Eligible to Other City Office During Term:—No person elected to any such office in this city and who has accepted the said office and entered upon the duties thereof shall, except when otherwise in this charter or by general law of the state expressly provided, be eligible to any appointive office in the city during the term for which he was so elected. (*As amended March 5, 1912.*)

ARTICLE XX.

AMENDMENTS.

Section 1. Amendments; Proposed by Council; Submission to Voters; Adoption; Mayor's Proclamation; Vote on Separate Amendments; Publication Before Submission:—Any amendment or amendments to this charter may be proposed in the city council, and if the same be agreed to by a majority of all the members elected, such proposed amendment or amendments shall be entered upon the journal

with the yeas and nays of the members voting thereon. Upon the passage of any such amendment or amendments, the same shall be submitted to the electors of the city for their ratification at the next general election, which shall be at least sixty days after the adoption of such proposed amendment in the council; and if at such election any such amendment shall be ratified by a majority of the qualified electors voting thereon, the same shall thereby become a part of this charter, and within five days after such election shall be by the mayor by proclamation published in the city official newspaper and proclaimed a part thereof; Provided, That if more than one amendment be submitted at the same general election the same shall be submitted at such election in such manner that each proposed amendment may be voted on separately without prejudice to others; And provided further, That after the passage of such proposed amendments through the council the same shall be published by the city clerk in two daily newspapers published in said city, for at least thirty days prior to the day of submitting the same to the electors for their approval, as above provided. (*As amended March 4, 1902.*)

Sec. 2. Amendments; Proposed by Voters; Submission to Voters; Opinion of Corporation Counsel and Certificate; Check With Registration; Unlawful Signatures; Ratification and Election; Mayor's Proclamation; Vote on Separate Amendments; Publication Before Submission:—Whenever twenty per cent. of the qualified voters of the city registered in the registration list used at the last general municipal election shall present to the city council a proposition for an amendment to the city charter, it shall be the duty of the city council to submit the same to the qualified voters of the city for their ratification or rejection at the next general election, which shall be at least ninety days after the presentation of such petition to the city council; such submission shall be made by resolution to the city council, which shall be adopted at least sixty days prior to such election. Before any such proposition shall be circulated for signatures, it shall be presented to the city clerk, who shall procure the opinion of the corporation counsel as to its legality, and shall certify upon it the date of its presentation to him, and attach thereto a copy of such opinion. When such proposition shall be presented to the council, it shall be the duty of the city clerk to examine and verify all signatures thereto, so far as practicable, from a comparison with the registration lists in his office, and the report of the city clerk thereon shall be made to the council before final action. The council shall provide by ordinance a penalty for affixing to any such proposition any signature other than the signatures in person of electors duly registered in the registration list used in the last general municipal election. If at the general election, at which the same is submitted, a majority of the lawful voters voting thereat shall by their votes ratify any amendment so submitted, the same shall thereby become a part of the charter, and within five days after such election shall be by the mayor by proclamation published in the city official newspaper proclaimed a part thereof; Provided, That if more than one amendment be petitioned for and submitted at the same general election, the same shall be petitioned for and

submitted in such manner that electors may vote for or against the amendments separately; And provided further, That after the passage of the resolution making each submission by the city council, every such amendment shall be published by the city clerk in the city official newspaper for a period of thirty days prior to such election, together with a notice by the mayor that the same is submitted to the qualified voters of the city for their rejection or approval at the said coming election.

ARTICLE XXI.

STREETS UPON TIDE LANDS AND SEA AND LAKE SHORES.

Section 1. Streets Over Tide Lands and Into Lakes Continued and Established:—All streets, avenues and other public highways heretofore established upon, over or across any tide lands within the City of Seattle, or into the waters of Lake Washington, Lake Union, Green Lake or other lakes, streams or bodies of fresh water within the City of Seattle, either under and by virtue of the constitution and laws of the State of Washington or under and by virtue of any charter or ordinance of the City of Seattle, or by the dedication of any plat within the city, or by any other lawful authority established as public streets or highways, are hereby continued, established and declared to be public streets and highways of the City of Seattle, subject to the same power of the city to control, improve or vacate the same as is or shall be provided for other public streets and highways within the city.

Sec. 2. Extension, Establishment and Vacation of Tide and Shore Land Streets:—The city council may by ordinance extend, establish or vacate any street over or across or along the harbor, shore or tide lands in the city.

ARTICLE XXII.

INSPECTION OF STEAM BOILERS AND LICENSING OF ENGINEERS.

Section 1. Steam Boiler Inspector; Appointment; Removal; Duties; Inspection of Boilers:—The mayor shall appoint, after competitive examination by competent engineers, under civil service rules, a steam boiler inspector, who may, subject to the provisions of article XVI. of this charter, be removed by the mayor, and whose duty it shall be to inspect at least once each year all steam boilers and steam connections thereof within the city limits, except the following: Locomotive boilers, boilers for heating or lighting private dwellings, boilers subject to inspection by United States inspectors, and such others as may be excepted by the city council. The boiler inspector shall perform such other duties as may be prescribed by ordinance. The inspection of boilers shall be thorough and as near as may be in accordance with the provisions of the revised statutes of the United States relating to the inspection of steam boilers.

Sec. 2. Board of Examiners of Engineers in Charge of Steam Boilers; Salaries and Compensation of Members of:—All engineers employed and in charge of any steam boiler under pressure in the city shall be licensed annually after an examination as to fitness and capacity in the following manner: The civil service commission shall appoint a board of examiners of three (3) members, who shall examine and certify all applicants for engineer's license, under such rules as may be prescribed by the civil service commission. The members of the board of examiners shall receive such salary or compensation as the city council may by ordinance prescribe. (*As amended March 3, 1908.*)

Sec. 3. Steam Boilers; Operation; Compensation of Inspector; Fees:—No person shall operate any steam boiler within the city limits without first obtaining a license of the proper grade, nor shall any person employ an unlicensed person to operate any such boiler. The city council shall enact all ordinances necessary and proper for carrying into effect the provisions of this article, including therein suitable penalties for any violation of the requirements of such ordinances, and shall make all appropriations necessary therefor, and shall fix the compensation of the boiler inspector upon the basis of work actually performed; and shall also fix the license fee for engineers and the fees for the inspection of boilers; Provided, That in no case shall the expenses of the office of boiler inspector, including salary, exceed the receipts from the license fees and fees for examining boilers and other income of said office; And provided further, The fee for an inspection may not exceed five cents per horse power, nor the fee for a license the sum of two dollars.

ARTICLE XXIII.

HOURS OF LABOR.

Section 1. Eight Hours a Day's Work:—In all public works done by or for the city, either by day's work or by contract, eight hours shall constitute a day's work; and no employe of the city on city works, or of any contractor or sub-contractor of such work shall be required to work longer than eight hours in any one calendar day; Provided, however, That this article shall not be so construed as to in any manner apply to, or affect any contract entered into by the city prior to the adoption of this charter. This article shall be enforced by the city council by ordinance.

Sec. 2. Minimum Wage to Be Paid on Local Improvement Work:—Every contractor and sub-contractor performing any local improvement work for the City of Seattle shall pay or cause to be paid to his employes on such work not less than the current rate of wages paid by the City of Seattle for work of like character and in any event not less than two and seventy-five hundredths (\$2.75) dollars per day. Said contractor and sub-contractor shall, on such work, give preference to resident laborers. This article shall be enforced by the city council by ordinance. (*As adopted 5, 1912.*)

ARTICLE XXIV.

MISCELLANEOUS SUBJECTS.

Section 1. **Money in Treasury Credited to Proper Funds:**—All moneys in the city treasury at the time of the adoption of this charter, belonging to the several funds, shall be credited to the several funds to which the same belong under the provisions of this charter.

Sec. 2. **Privileges Granted by Ordinance:**—No privilege shall be granted that suspends or conflicts with any ordinance, except by an ordinance passed by the city council.

Sec. 3. **Books and Records Open to Inspection; Certified Copies; Fees:**—All books and records of every office and department shall be open to the inspection of any citizen at any time during business hours. Copies or extracts from said books and records, duly certified, shall be given by the officer having the same in custody to any person demanding the same, and paying or tendering, for the use of the city, ten cents per folio of one hundred words for such copies or extracts.

Sec. 4. **Public Offices Open, When:**—Except when otherwise provided by law or this charter, all public offices shall be kept open for business every day, except Sundays and legal holidays, from nine o'clock in the forenoon until five o'clock in the afternoon.

Sec. 5. **Offices Created, Persons Employed, and Compensation Fixed, by Law:**—No office shall be created, nor shall any person be employed in any capacity, nor shall any officer, clerk or employe receive any salary or compensation for any service of any kind, unless the same is specially provided for or authorized by law or this charter.

Sec. 6. **Certain Officers May Administer Oaths:**—Every officer authorized by law or ordinance to allow, audit or certify demands upon the treasury, or to make any official investigation, shall have power to administer oaths and affirmations and take and hear testimony concerning any matter or thing relating thereto.

Sec. 7. **Officers Liable for Approval, Allowance or Payment of Unauthorized Claims:**—Every officer who shall approve, allow or pay any demand on the treasury not authorized by law, ordinance or this charter, shall be liable to the city individually and on his official bond for the amount paid by the city upon such demand in excess of the amount lawfully due from the city thereon.

Sec. 8. **Power to Appoint Gives Power to Remove:**—Unless otherwise provided by law or this charter, each officer, board or department authorized to appoint any deputy, clerk, assistant or employe, shall have the right to remove any person so appointed.

Sec. 9. **Appointments in Writing; Filing:**—All appointments of officers, deputies and clerks to be made under any provision of this charter must be made in writing, and authenticated by the person or persons, board or officer making the same, and filed with the comptroller.

Sec. 10. Appointive Officers to Hold Until Successors Appointed:—All appointive officers of the City of Seattle in office when this charter takes effect shall continue to hold and exercise their respective offices under and in accordance with the terms and provisions and obligations of this charter, until the appointment and qualification of their respective successors or the officers who shall succeed to their duties under this charter.

Sec. 11. Terms of Officers in Office When Charter Adopted:—The mayor, city treasurer, corporation counsel and city clerk who are in office at the time this charter takes effect, shall continue in office for the remainder of their terms, and the three first named until their respective successors shall have qualified. The mayor, city treasurer and corporation counsel elected at the general municipal election in March, 1896, shall hold their respective offices to all intents and purposes as if they had been elected under this charter. The office of city clerk as a separate office shall terminate with the term of the incumbent who was elected at the general election in the year 1894, and the person elected city clerk at the general election in the year 1896 shall not take office.

Sec. 12. Term of Office of Comptroller; Appointment of Successor; Term:—The term of office of the city comptroller who is in office at the time this charter is adopted shall continue for the period of his original appointment, and until his successor is appointed and qualified. His successor shall be appointed by the mayor, by and with the advice and consent of the city council, and shall hold office until his successor is elected, in the year 1898, and qualified. The person or persons who shall be city comptroller during the interim between the expiration of the term of the present city clerk and the first election and qualification of city comptroller herein provided for shall be ex-officio city clerk and shall receive compensation at the rate herein provided for city comptroller.

Sec. 13. Acquisition and Establishment of Public Cemetery; Funds Provided by Warrants; Redemption of Warrants:—It shall be the duty of the city council to purchase or otherwise acquire in the manner and out of the fund herein provided for a tract of land without the corporate limits of not less than one hundred acres, and establish thereon a public cemetery. In order to provide a fund for such purpose, the city council may cause to be issued and sold at not less than par, warrants to the amount necessary for such purchase, or other acquisition, not to exceed, however, the sum of Twenty Thousand Dollars, bearing a reasonable rate of interest, not to exceed eight per centum per annum, or may pay for said land with the warrants so issued. In order to provide for the redemption of said warrants and the payment of interest thereon, seventy-five per centum of the proceeds of all sales of burial lots in said cemetery shall be set apart and made a special fund applicable solely to that purpose. The warrants so issued shall not be or become a debt or obligation of the city, but shall be payable only out of the said special fund.

Sec. 14. Submission of Question of Acquiring Lighting Plant:—At the first general municipal election after the city shall be by any exten-

sion of its water system supplied with sufficient water power therefor, it shall be the duty of the council to submit to the electors of the city the question as to whether it shall acquire for the city by purchase or construction, or both, a plant and system for furnishing light or power, or both, for corporate or individual use, or both such uses.

Sec. 15. **Charter Submitted March 3, 1896.** This charter is framed with the intent that it be submitted at the general municipal election on the third day of March, A. D. 1896.

ARTICLE XXV.

MUNICIPAL PLANS COMMISSION.

Section 1. **Commission Created; Number; To Prepare Plans:—** That there be and hereby is created a commission to be known as a Municipal Plans Commission, which shall consist of twenty-one members. It shall be the duty of said commission to procure plans for the arrangement of the city with a view to such expansion as may meet probable future demands. These plans shall take into consideration the extension of the city and city works into adjacent territory; improvement and changes in public utilities and lines of transportation by surface, underground and water; the location, widths and grades of arterial highways necessary for the best treatment of the city; the development of the water front with its sea wall and wharves; the location of public buildings and municipal decorations; and such further extensions of and additions to the park and boulevard system of the city as it may, in conjunction with the park board, find advisable. (*As adopted March 8, 1910.*)

Sec. 2. **Commission, How Chosen:—**The members of such commission shall be citizens of the City of Seattle and shall be chosen in the following manner, to-wit: Three shall be elected from the city council by its members; one shall be elected from the board of public works by its members; in the same way one member shall be elected from the King county commissioners; one from the Seattle board of education and one from the Seattle park commission. The other members shall be appointed by the mayor in the following manner, to-wit: Each organization hereinafter named shall nominate two of its members and the mayor shall appoint one of the two so nominated. The interests representing the water front owners, steam railway companies, street railway companies and marine transportation companies shall organize, respectively, by mass meetings, at which a chairman and secretary shall be elected, and such officials shall certify to the mayor the two names elected at such meetings. The call for such meetings shall be given publicity in the press of the city:

The Pacific Northwest Society of Civil Engineers.

The Washington State Chapter of American Institute of Architects.

The Seattle Chamber of Commerce.

The Seattle Commercial Club.

The Manufacturers' Association.
The Central Labor Council.
The Seattle Clearing House Association.
The Seattle Bar Association.
The Seattle Real Estate Association.
The Carpenters' Union.
The Waterfront Owners.
The Steam Railway Companies.
The Marine Transportation Companies.
The Street Railway Companies.

In case of failure of any of said organizations or interests to nominate, then these members are to be appointed by the mayor, and each shall be chosen for his known qualifications with respect to the interests which shall have failed to certify its nominations. (*As adopted March 8, 1910.*)

Sec. 3. Membership Not Bar to Other Office:—Any member of such commission may hold any other office, whether federal, state, county or municipal, or may be an employe of the city or of any other department, commission, board, bureau, institution or office of the city government, and by becoming a member of such commission, no person shall forfeit any other public office or employment which he may hold at the time he becomes a member. (*As adopted March 8, 1910.*)

Sec. 4. Must Take Oath of Office and Elect President and Secretary:—Before entering upon the duties of their office, all members shall qualify by taking the oath of office prescribed for city officials in the city charter, and shall organize by electing a president and secretary. (*As adopted March 8, 1910.*)

Sec. 5. Forfeiture of Membership; Vacancy:—After the organization of such commission, any member except a state, county or city official, who shall be absent from the meetings of said commission for a period of more than thirty days, without being excused therefrom, shall *ipso facto* forfeit his office; and any vacancies caused either by resignation, death or by reason of unexcused absence, shall be filled by appointment in the manner provided for in section two (2) of this resolution; such new commissioner to be chosen to represent the same body as that represented by the one causing the vacancy. The failure of a city official to retain his office in the city government shall be considered a vacancy on said commission and his successor shall be selected as hereinbefore provided. (*As adopted March 8, 1910.*)

Sec. 6. Shall Serve Without Compensation:—All members shall serve without compensation. (*As adopted March 8, 1910.*)

Sec. 7. Suitable Quarters and Engineering and Clerical Assistance to Be Furnished; Meetings; Report Not Later Than September 30, 1911:—There shall be furnished to said commission suitable quarters for the carrying on of its investigations, together with such engineering and clerical assistance as may be necessary, and the commission shall, as soon as practicable after its organization, employ one or more, but in no case to exceed three, men of national reputation, recognized as au-

thorities in city planning, to prepare a comprehensive plan under its direction and subject to its approval and adoption, embracing in its scope the entire area of the city, and such contiguous territory, as is comprehended in section one (1) of this resolution. The final plans shall be submitted to the commission for approval, and shall be regarded as approved, unless rejected by a two-thirds vote of said commissioners within thirty (30) days after the same shall have been filed with the commission. The municipal plans commission shall hold regular meetings; at least one such meeting every two weeks. Upon the conclusion of the sittings of said commission it shall submit its findings in full to the mayor and the city council of Seattle in printed form, together with plans. Said report shall be presented to the mayor and city council not later than September 30, 1911, and they shall cause the recommendations of the commission to be submitted to the people at the next general or special city election. (*As adopted March 8, 1910.*)

Sec. 8. Majority Vote to Adopt Plan Reported:—That if a majority of the voters thereon shall favor the adoption of said city plan so reported, it shall be adopted and shall be the plan to be followed by all city officials in the growth, evolution and development of said City of Seattle, until modified, or amended at some subsequent election. (*As adopted March 8, 1910.*)

Sec. 9. Fund Created; Disposition of Same:—There is hereby created a fund to be known as "Municipal Plans Commission Fund," which shall consist of a tax levy to be made during the year 1910 as other taxes are levied, of one-fourth ($\frac{1}{4}$) of a mill on the dollars, but no other or further levy or payment into said fund shall ever be made. The municipal plans commission shall have exclusive power to pay out moneys from such fund for any and all purposes specified in section one (1) hereof, and shall, on or before the 10th day of August of the year 1910, prepare and submit to the city council for approval and adoption, an estimate of the amount of money which may be required for its purposes, in conformity with chapter 138 of the Laws of State of Washington, Session 1909. (*As adopted March 8, 1910.*)

Sec. 10. Majority Must Approve Vouchers:—All expenditures on account of work done shall be made upon vouchers approved by a majority vote of the municipal plans commission and signed by its president and secretary. Each voucher shall, when accompanied by a detailed statement of such expenditures, be certified to the city comptroller, who shall issue a warrant therefor to the city treasurer and the same shall be paid by the treasurer out of any money in the municipal plans commission fund not otherwise appropriated. Said commission may anticipate the revenues to be paid into said fund under the tax levy herein provided for, by the issuance of its warrants against said fund, to provide money for the necessary expenses of said commission prior to the availability of the funds to be raised by such levy. No expense against such fund shall be incurred after September 30, 1911, nor in excess of the levy provided, and any surplus remaining in said fund after said date, not lawfully appropriated or obligated for shall be by ordinance transferred into the general fund. (*As adopted March 8, 1910.*)

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